

Supreme Court of Florida

No. 66,390

LARRY DONNELL BROWN, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[September 19, 1985]

EHRlich, J.

We have for review Brown v. State, 460 So.2d 546 (Fla. 1st DCA 1984), which directly conflicts with Whitehead v. State, 450 So.2d 545 (Fla. 3d DCA 1984). Art. V, § 3(b)(3), Fla. Const. On the authority of State v. Whitehead, 472 So.2d 730 (Fla. 1985), we approve the decision below.

It is so ordered.

BOYD, C.J., and ADKINS, OVERTON, McDONALD and SHAW, JJ., Concur

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED.

Application for Review of the Decision of the District Court of
Appeal - Direct Conflict of Decisions

First District - Case No. AZ-407

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for Petitioner

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