

Supreme Court of Florida

No. 66,875

STATE OF FLORIDA, Petitioner,

v.

RANDALL HERNANDEZ, Respondent.

[December 5, 1985]

ADKINS J.

We review the decision of Hernandez v. State, 465 So.2d 577 (Fla. 1st DCA 1985), in which the district court certified conflict with numerous cases. We have jurisdiction. Art. V, § 3(b)(4), Fla. Const.

In Jackson v. State, No. 65,857 (Fla. Oct. 17, 1985), we held that a departure from the sentencing guidelines must be accompanied by a written order expressing the reasons for departure.

Accordingly, we approve the decision of the district court.

It is so ordered.

BOYD, C.J., and OVERTON, McDONALD, EHRLICH 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 - Certified Direct Conflict

First District - Case No. AY-449

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