

IN THE SUPREME COURT
STATE OF FLORIDA

W. C. REEVES,
Petitioner,

v.

CASE NO. 69,548

STATE OF FLORIDA,
Respondent.

RESPONDENT'S BRIEF ON JURISDICTION

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SUMMARY OF ARGUMENT

Respondent agrees that express and direct conflict exists in the instant appeal.

ISSUE

WHETHER EXPRESS AND DIRECT CONFLICT EXISTS FOR THIS COURT TO REVIEW THE INSTANT CASE PURSUANT TO ARTICLE V, SECTION (3)(b)(3), FLORIDA CONSTITUTION.

Respondent agrees with petitioner that this case appears to be in express and direct conflict with the decision in Mestas v. State, 484 So.2d 612 (Fla. 2d DCA 1986), and that there exists prima facie express conflict pursuant to Jollie v. State, 405 So.2d 418 (Fla. 1981).

CONCLUSION

Based on the argument and authorities presented herein, this court is requested to exercise the jurisdiction that clearly exists in this appeal.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing Respondent's Brief on Jurisdiction has been furnished by mail to Christopher S. Quarles, Assistant Public Defender, 112 Orange Avenue, Suite A, Daytona Beach, Florida 32014, counsel for the petitioner, this 21 day of November, 1986.

Kevin K. Carson

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