

Supreme Court of Florida

No. 74,045

PETER PISANO,

Petitioner,

vs.

STATE OF FLORIDA,

Respondent.

[January 11, 1990]

PER CURIAM.

We accepted Pisano v. State, 539 So.2d 486 (Fla. 2d DCA 1988), based on apparent conflict with decisions of other district courts of appeal. Upon examination of the record and the briefs, we have determined that jurisdiction was granted improvidently. Accordingly, this cause is dismissed.

It is so ordered.

EHRlich, C.J., and OVERTON, McDONALD, SHAW, BARKETT, GRIMES and KOGAN, JJ., Concur

NO MOTION FOR REHEARING WILL BE ENTERTAINED BY THE COURT.

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

Second District - Case No. 87-295
(Lee County)

James Marion Moorman, Public Defender and Robert F. Moeller,
Assistant Public Defender, Tenth Judicial Circuit, Bartow,
Florida,

for Petitioner

Robert A. Butterworth, Attorney General and David R. Gemmer,
Assistant Attorney General, Tampa, Florida,

for Respondent