

IN THE SUPREME COURT OF FLORIDA

PAUL TERRY MURRAY,  
Petitioner,

v.

CASE NO. 74,536

STATE OF FLORIDA,  
RESPONDENT.

**FILED**  
SID J. WHITE  
AUG 17 1989  
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By Deputy Clerk

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JAMES McDONALD,  
Petitioner,

v.

CASE NO. 74,537

STATE OF FLORIDA,  
Respondent.

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JURISDICTIONAL BRIEF OF RESPONDENT

ROBERT A. BUTTERWORTH  
ATTORNEY GENERAL

EDWARD C. HILL, JR.  
ASSISTANT ATTORNEY GENERAL  
FLORIDA BAR #238041

DEPARTMENT OF LEGAL AFFAIRS  
THE CAPITOL  
TALLAHASSEE, FL 32399-1050  
(904) 488-0600

COUNSEL FOR RESPONDENT

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JURISDICTIONAL BRIEF OF RESPONDENT

PRELIMINARY STATEMENT

Respondent accepts Petitioner's preliminary statement and will use the designations set out therein.

STATEMENT OF THE CASE AND FACTS

Appellee is in substantial agreement with Appellant's version of the case and facts.

SUMMARY OF ARGUMENT

As the argument portion of this brief is less than one page,  
the summary is omitted.

ARGUMENT

ISSUE

THE DECISION OF THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, EXPRESSLY AFFECTS A CONSTITUTIONAL OFFICER, PUBLIC DEFENDERS, AND EXPRESSLY AND DIRECTLY CONFLICTS WITH RULES REGULATING THE FLORIDA BAR, 494 SO.2D 977 (FLA. 1986) ON THE SAME QUESTION OF LAW.

Petitioner argues that this case should be accepted for review because the case upon which the First District Court of Appeal based its order (Forrester v. State, 14 F.L.W. 1064 (Fla. 1st DCA, April 28, 1989), has been accepted by this Court for review (Forrester v. State, Case No. 74,166). Thus, under the rule enunciated in Jollie v. State, 405 So.2d 418 (Fla. 1981), this Court has jurisdiction. The State agrees with this position and asserts that in the interest of sound judicial administration, this Court should accept jurisdiction and decide this issue.

CONCLUSION

Based on the above cited legal authorities, Respondent prays this Honorable Court accept jurisdiction in this case.

Respectfully submitted,

ROBERT A. BUTTERWORTH  
ATTORNEY GENERAL



EDWARD C. HILL, JR.  
Assistant Attorney General  
Florida Bar #238041

DEPARTMENT OF LEGAL AFFAIRS  
The Capitol  
Tallahassee, FL 32399-1050  
(904) 488-0600

COUNSEL FOR RESPONDENT

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been forwarded by U.S. Mail to Carl S. McGinnes, Assistant Public Defender, Fourth Floor North, 301 South Monroe Street, Tallahassee, Florida, 32301, and Lawrence M. Korn, Assistant Public Defender, Leon County Courthouse, Fourth Floor North, 301 South Monroe Street, Tallahassee, Florida, 32301, this 17<sup>th</sup> day of August, 1989.



EDWARD C. HILL, JR.  
Assistant Attorney General