

Supreme Court of Florida

No. 74,725

LAURIE ANN LEONARDI, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

CORRECTED OPINION

[April 26, 1991]

OVERTON, J.

We have for review Leonardi v. State, 548 So. 2d 811 (Fla. 5th DCA 1989), in which the Fifth District Court of Appeal held that section 893.13, Florida Statutes (1987), did not violate the single subject rule of article III, section 6, of the Florida Constitution. In that case, the district court certified the following question as one of great public importance:¹

¹ We have jurisdiction. Art. V, § 3(b)(4), Fla. Const.

DOES SECTION 893.13, FLORIDA STATUTES (1987)
VIOLATE THE ONE SUBJECT RULE OF THE FLORIDA
CONSTITUTION?

Id. at 811. We recently answered this question in the negative in Burch v. State, No. 73,826 (Fla. Feb. 15, 1990).²

Accordingly, we approve the district court's decision.

It is so ordered.

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

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

² Leonardi raises an additional issue in this appeal. The district court did not discuss that issue in its opinion and we exercise our discretion not to consider it in this proceeding.

Application for Review of the Decision of the District Court
of Appeal - Certified Great Public Importance

Fifth District - Case No. 88-1217
(Marion County)

James B. Gibson, Public Defender and Glen P. Gifford, Assistant
Public Defender, Seventh Judicial Circuit, Daytona Beach,
Florida,

for Petitioner

Robert A. Butterworth, Attorney General and Fleming Lee,
Assistant Attorney General, Daytona Beach, Florida,

for Respondent