

# Supreme Court of Florida

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No. 75,730

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EDWARD MICHAEL PALMIERI, Petitioner,

v.

STATE OF FLORIDA, Respondent.

[January 3, 1991]

McDONALD, J.

In State v. Palmieri, 558 So.2d 53 (Fla. 2d DCA 1990), the district court expressly declared valid section 796.01, Florida Statutes (1987), the "house of ill fame" statute. In Warren v. State, no. 75,791 (Fla. Jan. 3, 1991), however, we found section 796.01 unconstitutionally vague. Therefore, we quash Palmieri and remand to the district court to affirm the trial court's dismissal of the information.

It is so ordered.

SHAW, C.J., and OVERTON, EHRLICH, BARKETT, GRIMES and KOGAN, 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 - Statutory Validity

Second District - Case Nos. 88-02586 & 88-03107

(Hillsborough County)

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