

Supreme Court of Florida

No. 76,161

STATE OF FLORIDA, Petitioner,

v.

JAMIE STEMBER, Respondent.

[November 8, 1990]

McDONALD, J.

In State v. Stember, 565 So.2d 725, 726 (Fla. 4th DCA 1990), the court certified the following question as being of great public importance:

DO OFFICERS OF THE FLORIDA MARINE PATROL HAVE
AUTHORITY TO DETAIN AND CITE DRIVERS FOR
NONCRIMINAL TRAFFIC INFRACTIONS?

We have jurisdiction. Art. V, § 3(b)(4), Fla. Const. We recently answered the same question in the affirmative in State v. Parsons, no. 74,874 (Fla. Oct. 25, 1990). Therefore, we quash

Stember and remand for further proceedings consistent with the views expressed in Parsons.

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 - Certified Great Public Importance

Fourth District - Case No. 89-2587

(Broward County)

Robert A. Butterworth, Attorney General and Don M. Rogers,
Assistant Attorney General, West Palm Beach, Florida,

for Petitioner

Andrew L. Siegel of Andrew L. Siegel, P.A., Plantation, Florida,

for Respondent