

# Supreme Court of Florida

## ORIGINAL

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No. 76,199

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STATE OF FLORIDA,

Petitioner,

vs.

DEONA EMBRY,

Respondent.

[November 14, 1991]

PER CURIAM.

We have for review State v. Embry, 563 So.2d 147 (Fla. 2d DCA 1990), which certified the same question answered by this Court in Hunter v. State, No. 73,230 (Fla. Aug. 29, 1991). The opinion under review is quashed, and we remand this cause for reconsideration in light of Hunter.

It is so ordered.

SHAW, C.J. and OVERTON, McDONALD, BARKETT, GRIMES, KOGAN and HARDING, 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

Second District - Case No. 89-01220

(Sarasota County)

Robert A. Butterworth, Attorney General and Stephen A. Baker,  
Assistant Attorney General, Tampa, Florida,

for Petitioner

James Marion Moorman, Public Defender and Andrea Norgard,  
Assistant Public Defender, Tenth Judicial Circuit, Bartow,  
Florida,

for Respondent