

FILED

SID J. WHITE

JAN 30 1991

CLERK, SUPREME COURT

By _____

Deputy Clerk

IN THE SUPREME COURT OF FLORIDA

WESTON JACKSON; JEREMIAH JONES;
EDWARD MORRISON; WALTER ZNAJMIECKI;
BILLY GRAHAM

Petitioners,

v.

CASE NO. 77,070; 77,071;
77,072; 77,073
77,075

STATE OF FLORIDA,

Appellee.

JURISDICTIONAL BRIEF OF RESPONDENT

ROBERT A. BUTTERWORTH
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ARGUMENT

THIS COURT MAY EXERCISE JURISDICTION
IN THESE CONSOLIDATED CASES.

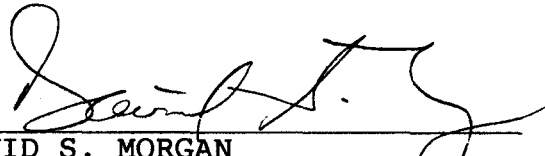
Each of the opinions of the Fifth District Court of Appeal cites *Flowers v. State*, 567 So.2d 1055 (Fla. 5th DCA 1990), and *Walker v. State*, 546 So.2d 764 (Fla. 5th DCA 1989), as controlling authority. Because the *Flowers* decision is now under review by this court this court may exercise jurisdiction to review the instant cases as well. *Jollie v. State*, 405 So.2d 418 (Fla. 1981).

CONCLUSION

This court has jurisdiction to review the instant cases.

Respectfully submitted,

ROBERT A. BUTTERWORTH
ATTORNEY GENERAL

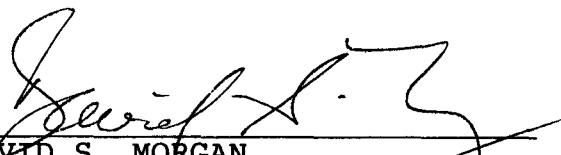


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CERTIFICATE OF SERVICE

I certify that a copy hereof has been furnished to Michael S. Becker, Assistant Public Defender, 112-A Orange Ave., Daytona Beach, FL 32114, by interoffice delivery on this 28th day of January, 1991.



DAVID S. MORGAN
ASSISTANT ATTORNEY GENERAL