

# Supreme Court of Florida

\_\_\_\_\_  
No. 78,164  
\_\_\_\_\_

LEVI RAHMING, Petitioner,

v.

STATE OF FLORIDA, Respondent.

**ORIGINAL**

[February 6, 1992]

McDONALD, J.

We review Rahming v. State, 579 So.2d 925 (Fla. 4th DCA 1991), because it relied on Carter v. State, 571 So.2d 520 (Fla. 4th DCA 1990), quashed, 586 So.2d 340 (Fla. 1991). The question presented in the instant case is whether Florida's uniform sentencing guidelines allow legal constraint points to be assessed for each offense committed while under legal constraint. In Flowers v. State, 586 So.2d 1058 (Fla. 1991), we answered this same question in the negative. Accordingly, we quash Rahming and remand for further proceedings consistent with our opinion in Flowers.

It is so ordered.

SHAW, C.J. and OVERTON, 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 - Direct Conflict of Decisions

Fourth District - Case No. 90-1704

(St. Lucie County)

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Florida,

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