Supreme Court of Florida

ORGINAL

No. 78,472

EDDIE MACK LOCK, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[March 26, 1992]

PER CURIAM.

We approve <u>Lock v. State</u>, 582 So.2d 819 (Fla. 2d DCA 1991), on the authority of <u>Burdick v. State</u>, No. 78,466 (Fla. Feb. 6, 1992).

It is so ordered.

SHAW, C.J. and McDONALD, BARKETT, GRIMES, KOGAN and HARDING, JJ., concur.
OVERTON, J., concurs in part and dissents in part.

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

Second District - Case No. 90-02990 (Lee County)

James Marion Moorman, Public Defender and Kevin Briggs, Assistant Public Defender, Tenth Judicial Circuit, Bartow, Florida,

for Petitioner

Robert A. Butterworth, Attorney General and Peggy A. Quince, Assistant Attorney General, Tampa, Florida,

for Respondent