

# Supreme Court of Florida

**ORIGINAL**

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No. 78,570

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JOHN WEST, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[February 6, 1992]

PER CURIAM.

We have for review West v. State, 584 So.2d 1044, 1046 (Fla. 1st DCA 1991), in which the district court certified the following question of great public importance:<sup>\*</sup>

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<sup>\*</sup> We have jurisdiction pursuant to article V, section 3(b)(4) of the Florida Constitution.

Is a first degree felony punishable by a term of years not exceeding life imprisonment subject to an enhanced sentence of life imprisonment pursuant to the provisions of the habitual felony offender statute?

We answered this question in the affirmative in Burdick v. State, No. 78,466 (Fla. Feb. 6, 1992). We therefore approve the opinion below.

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

First District - Case No. 90-2208

(Duval County)

Nancy A. Daniels, Public Defender and P. Douglas Brinkmeyer,  
Assistant Public Defender, Second Judicial Circuit, Tallahassee,  
Florida,

for Petitioner

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