

# SUPREME COURT OF FLORIDA

---

No. 78,911

---

B.P., a child, Petitioner, vs. STATE OF FLORIDA, Respondent.

[September 10, 1992]

PER CURIAM.

We quash *B.P. v. State*, 588 So. 2d 39 (Fla. 5th DCA 1991), on the authority of *A.A. v. Rolle*, 604 So. 2d 813, 1992 Fla. LEXIS 1310, 17 Fla. Law W. S 561 (Fla. 1992), and remand for proceedings consistent with our opinion in *Rolle*.

It is so ordered.

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

COUNSEL: James B. Gibson, Public Defender and Paolo G. Annino, Assistant Public Defender,  
Seventh Judicial Circuit, Daytona Beach, Florida,  
for Petitioner.

Robert A. Butterworth, Attorney General and Anthony J. Golden, Assistant Attorney General,  
Daytona Beach, Florida,  
for Respondent.