

Supreme Court of Florida

ORIGINAL

No. 78,916

ANNETTE JENKINS,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[September 3, 1992]

PER CURIAM.

Upon the authority of Scates v. State, 17 F.L.W. S467 (Fla. July 23, 1992), we quash State v. Jenkins, 591 So. 2d 261 (Fla. 4th DCA 1991), and remand with directions to reinstate Jenkins' probation.

It is so ordered.

BARKETT, C.J. and OVERTON, SHAW and KOGAN, JJ., concur.

GRIMES, J., dissents with an opinion, in which HARDING, J.,
concur.
McDONALD, J., dissents.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF
FILED, DETERMINED.

GRIMES, J., dissenting.

I dissent for the reasons expressed in my dissenting opinion in Scates v. State, 17 F.L.W. S467 (Fla. July 23, 1992).

HARDING, J., concurs.

Application for Review of the Decision of the District Court of
Appeal - Certified Great Public Importance

Fourth District - Case No. 90-2705

(Broward County)

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for Petitioner

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for Respondent