

Supreme Court of Florida

ORIGINAL

No. 79,015

STATE OF FLORIDA, Petitioner,

vs.

LARRY COTTON, Respondent.

[April 2, 1992]

PER CURIAM.

We approve Cotton v. State, 588 So.2d 694 (Fla. 3d DCA 1991), on the authority of Burdick v. State, No. 78,466 (Fla. Feb. 6, 1992).

It is so ordered.

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

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 Direct Conflict of Decisions

Third District - Case No. 90-2620

(Dade County)

Robert A. Butterworth, Attorney General and Marc E. Brandes,
Assistant Attorney General, Miami, Florida,

for Petitioner

Bennett H. Brummer, Public Defender and Cynthia A. Greenfield,
Special Assistant Public Defender, Eleventh Judicial Circuit,
Coral Gables, Florida,

for Respondent