

Supreme Court of Florida

ORIGINAL

No. 79,392

ROBERT ALTON BECKER, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[December 3, 1992]

OVERTON, J.

We have for review Becker v. State, 592 So. 2d 1266 (Fla. 1st DCA 1991), in which the district court certified the same questions we answered in Reeves v. State, No. 79,386 (Fla. Dec. 3, 1992). In accordance with our decision in Reeves, we approve the decision of the district court.

It is so ordered.

MCDONALD, SHAW, GRIMES and HARDING, JJ., concur,

KOGAN, J., dissents with an opinion, in which BARKETT, C.J., concurs.

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

KOGAN, J., dissenting.

I dissent on the basis of my dissenting opinion in Tillman v. State, No. 78,715 (Fla. Nov, 19, 1992). The petitioner has only been convicted of one violent crime and therefore cannot be a habitual violent felony offender.

BARRETT, C.J., concurs.

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

First District - Case No. 91-1320

(Duval County)

Nancy A. Daniels, Public Defender and Nada M. Carey, Assistant
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