

Supreme Court of Florida

ORIGINAL

No. 79,455

SALVATORE VOLA,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[September 24, 1992]

PER CURIAM.

We review State v. Vola, 591 So. 2d 248, 250 (Fla. 4th DCA 1991), in which the court certified the same question answered by this Court in Scates v. State, 17 F.L.W. S467 (Fla. July 23, 1992). Upon the authority of Scates, we answer the certified question in the affirmative. We quash the decision

below and remand with directions to reinstate Vola's community control.

It is so ordered.

BARKETT, C.J., and OVERTON, McDONALD, SHAW, 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

Fourth District - Case No. 91-0273

(Broward County)

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for Petitioner

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Chief, Senior Assistant Attorney General and Don M. Rogers,
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for Respondent