

# Supreme Court of Florida

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No. 79,533

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**ORIGINAL**

STATE OF FLORIDA, Petitioner,

vs.

JOHNNY MORALES, Respondent.

[November 10, 1993]

PER CURIAM.

We grant the petition for review of Morales v. State, 594 So. 2d 343 (Fla. 2d DCA 1992), but dispense with the filing of briefs on the merits and oral argument. We quash Morales and remand for reconsideration in light of Munoz v. State, no. 78,900 (Fla. Oct. 14, 1993).

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 - Direct Conflict of Decisions  
Second District - Case No. 91-00232

(Hillsborough County)

Robert A. Butterworth, Attorney General and David R. Gemmer,  
Assistant Attorney General, Tampa, Florida,

for Petitioner

No Appearance,

for Respondent