

Supreme Court of Florida

ORIGINAL

No. 79,547

ANTHONY **SESSIONS**, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[December 24, 1992]

PER CURIAM.

We have for review Sessions v. State, 597 So.2d 832 (Fla. 3rd DCA 1992), in which the Third District Court of Appeal certified its decision as being in conflict with the decisions of other district courts of appeal on the issue of whether life felonies are subject to enhancement under the Habitual Offender Act, section 775.084, Florida Statutes (1989). We have jurisdiction, article V, section 3(b)(4), Florida Constitution,

and quash the decision under review based on the authority of our decision in Lamont v. State, nos. 79,586 & 79,946 (Fla. Dec. 24, 1992).

It is so ordered.

BARKETT, C.J., and OVERTON, SHAW, GRIMES, ROGAN and HARDING, JJ., concur.
MCDONALD, J., 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. 90-2186

(Dade County)

Bennett H. Brummer, Public Defender and Bruce A. Rosenthal,
Assistant Public Defender, Eleventh Judicial Circuit, Miami,
Florida,

for Petitioner

Robert A. Butterworth, Attorney General and Michael J. Neimand,
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for Respondent