

Supreme Court of Florida

No. 80,203

JOAN LESLIE FOX,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

ORIGINAL

[December 3, 1992]

PER CURIAM.

We review State v. Fox, 600 So. 2d 55 (Fla. 4th DCA 1992), in which the court certified the same question answered by this Court in Scates v. State, 603 So. 2d 504 (Fla. 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 Fox's probation.

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 Nos, 91-2344 and 91-2739

(Palm Beach County)

Richard L. Jorandby, Public Defender and Barbara A. White,
Assistant Public Defender, Fifteenth Judicial Circuit, West Palm
Beach, Florida,

for Petitioner

Robert A. Butterworth, Attorney General; and Joan Fowler, Bureau
Chief and Don M. Rogers, Assistant Attorney General, West Palm
Beach, Florida,

for Respondent