

Supreme Court of Florida

ORIGINAL

No. 80,357

STATE OF FLORIDA, Petitioner/Appellant,

vs .

RONALD EUGENE DEHART, Respondent/Appellee.

[April 15, 1993]

BARKETT, C.J.

We have for review Dehart v. State, 601 So. 2d 1344 (Fla. 1st DCA 1992), in which the district court addressed a question similar to the one we recently answered in State v. Johnson, Nos. 79,150 & 79,204 (Fla. April 8, 1993).¹ While Johnson considered the habitual violent felony offender portion of the amendments to

¹ We have jurisdiction. Art. V, §§ 3(b)(3) & (4), Fla. Const.

section 775.084, Florida Statutes (1989), contained in chapter 89-280, Laws of Florida, this case addresses the amendments to the habitual felony offender statute also contained in chapter 89-280. However, the sentencing in both cases was affected by amendments that violated the single subject rule of article 11, section 6, of the Florida Constitution. Therefore, in accordance with our decision in Johnson, we approve the decision of the district court in the instant case.

It is so ordered.

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,

and An Appeal from the District Court of Appeal -
Statutory/Constitutional Invalidity

First District - Case No. 91-1282

(Bay County)

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