

# Supreme Court of Florida

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No. 80,579  
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**ORIGINAL**

JAMES ALLEN PERKOWSKI, Petitioner,

v.

STATE OF FLORIDA, Respondent.

[March 25, 1993]

PER CURIAM

Pursuant to jurisdiction granted under article V, section 3(b)(4), Florida Constitution, we review Perkowski v. State, 605 So. 2d 498, 500 (Fla. 4th DCA 1992), because the district court certified the following question to be one of great public importance:

IS HABITUAL OFFENDER CLASSIFICATION PERMITTED WHERE THE PREDICATE OFFENSE FOR WHICH APPELLANT WAS PREVIOUSLY CONVICTED OCCURRED SUBSEQUENT TO THE COMMISSION OF THE SUBJECT OFFENSE?

We answer in the affirmative upon the rationale expressed in the opinion under review and adopt it as our own.

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, 91-3208

(Broward County)

Richard L. Jorandby, Public Defender and Louis G. Carres,  
Assistant Public Defender, Fifteenth Judicial Circuit, West Palm  
Beach, Florida,

for Petitioner

Robert A. Butterworth, Attorney General; Joan Fowler, Bureau  
Chief and Melvina Racey Flaherty, Assistant Attorney General,  
West Palm Beach, Florida,

for Respondent