

Supreme Court of Florida

No. 80,580

MICHAEL EARL DOBBINS,

Petitioner,

vs.

STATE OF FLORIDA,

Respondent.

[February 10, 1994]

SHAW, J.

We have for review Dobbins v. State, 605 So. 2d 922 (Fla. 5th DCA 1992), wherein the district court expressly ruled section 775.085, Florida Statutes (1989), commonly known as Florida's Hate Crimes Statute, constitutional. We have jurisdiction. Art. V, § 3(b)(3), Fla. Const. We have recently held the statute constitutional in State v. Stalder, No. 79,924 (Fla. Jan. 27, 1994). We approve the decision in Dobbins on this issue.

It is so ordered.

OVERTON, McDONALD, GRIMES and KOGAN, JJ., concur.
HARDING, J., dissents with an opinion, in which BARKETT, C.J., concurs.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF
FILED, DETERMINED.

HARDING, J., dissenting.

I respectfully dissent from the majority opinion in this case for the reasons expressed in my dissent in State v. Stalder, No. 79,924 (Fla. Jan. 27, 1994) (Harding, J., dissenting).

BARKETT, C.J., concurs.

Application for Review of the Decision of the District Court of
Appeal - Statutory Validity

Fifth District - Case No. 91-1953

(Volusia County)

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