

Supreme Court of Florida

ORIGINAL

No. 81,042

STATE OF FLORIDA, Petitioner,

vs.

FRANCISCO RAMOS, JOSE RAMOS,
and LAZARO DIAZ, Respondents.

[December 16, 1993]

PER CURIAM.

We review the decision of the district court of appeal in State v. Ramos, 608 So. 2d 830 (Fla. 3d DCA 1992), on the jurisdictional ground of conflict of decisions. Art. V, § 3(b)(3), Fla. Const.

That portion of the district court's decision that affirmed the trial court's order dismissing the charges against Lazaro Diaz is quashed on the authority of Munoz v. State, 18 Fla. L. Weekly S537 (Fla. Oct. 14, 1993). The case is remanded

to the district court for reconsideration in light of our opinion
in Munoz.

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 - Direct Conflict of Decisions
Third District - Case No. 91-470

(Dade County)

Robert A. Butterworth, Attorney General and Angelica D. Zayas,
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for Petitioner

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for Respondents