

# Supreme Court of Florida

## ORIGINAL

---

No. 81,082

---

STATE OF FLORIDA, Petitioner,

vs.

MICHAEL WHITE, Respondent.

[June 24, 1993]

PER CURIAM.

The decision of the district court of appeal in White v. State, 609 So. 2d 169 (Fla. 1st DCA 1992), is before this Court for review based on a certified question. Art. V, § 3(b)(4), Fla. Const. The decision under review is quashed and the case remanded for proceedings consistent with State v. Rucker, 613 So. 2d 460 (Fla. 1993).

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

First District - Case No. 91-1672

(Alachua County)

Robert A. Butterworth, Attorney General; James W. Rogers, Bureau  
Chief, Criminal Appeals and Carolyn J. Mosley, Assistant  
Attorneys General, Tallahassee, Florida,

for Petitioner

Nancy A. Daniels, Public Defender and P. Douglas Brinkmeyer,  
Assistant Public Defender, Tallahassee, Florida,