

Supreme Court of Florida

No. 81,483

ALICIA BAILEY, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

ORIGINAL

[September 16, 1993]

PER CURIAM.

We review Bailey v. State, 18 Fla. L. Weekly D720 (Fla. 2d DCA Mar. 10, 1993), based on a certified question. Art. V, § 3 (b)(4), Fla. Const. We answered the question in Tripp v. State, 18 Fla. L. Weekly S326 (Fla. Mar. 25, 1993). The decision of the district court of appeal with respect to petitioner's sentencing is accordingly quashed and the case remanded for proceedings consistent with our opinion in Tripp.

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
Second District - Case No. 92-02672

(Hillsborough County)

James Marion Moorman, Public Defender and Stephen Krosschell,
Assistant Public Defender, Tenth Judicial Circuit, Bartow,
Florida,

for Petitioner

Robert A. Butterworth, Attorney General and Carol M. Dittmar,
Assistant Attorney General, Tampa, Florida,

for Respondent