

Supreme Court of Florida

No. 81,519

BILLY TURNER, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[February 10, 1994]

PER CURIAM.

We review Turner v. State, 615 So. 2d 819 (Fla. 1st DCA 1993), on the ground that the district court declared a statute valid. Art. V, § 3(b)(3), Fla. Const.

On the authority of Brown v. State, 19 Fla. L. Weekly S22 (Fla. Jan. 6, 1994), the decision under review is hereby quashed and the case remanded for further proceedings consistent with our opinion in Brown.

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 - Statutory Validity

First District - Case No. 92-406

(Bay County)

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for Petitioner

Robert A. Butterworth, Attorney General; James W. Rogers, Bureau
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