

Supreme Court of Florida

No. 81,544

STATE OF FLORIDA,
Petitioner,

ORIGINAL

vs.

FELICE JOHN VEACH,
Respondent.

[February 3, 1994]

PER CURIAM.

We review Veach v. State, 614 So. 2d 680 (Fla. 1st DCA 1993), based on conflict with Preston v. State, 411 So. 2d 297 (Fla. 3d DCA), review denied, 418 So. 2d 1280 (Fla. 1982). We have jurisdiction pursuant to article V, section 3(b)(3) of the Florida Constitution.

We recently resolved this conflict with our decisions in Sirmons v. State, 620 So. 2d 1249 (Fla. 1993), and Troutman v. State, 18 Fla. L. Weekly S580 (Fla. Nov. 4, 1993). On authority

of Sirmons and Troutman we approve the First District's decision in Veach and approve the opinion under review.

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
First District - Case No. 92-1506

(Escambia County)

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