

Supreme Court of Florida

No. 82,071

RICHARD CARLTON, Petitioner,
vs.
STATE OF FLORIDA, Respondent.

ORIGINAL

[May 5, 1994]

PER CURIAM.

The decision of the district court of appeal, Carlton v. State, 619 So. 2d 309 (Fla. 4th DCA 1993), which we review based on certified questions, Art. V, § 3(b)(4), Fla. Const., is approved on the authority of Carino v. State, 19 Fla. L. Weekly S115 (Fla. Mar. 10, 1994).

It is so ordered.

GRIMES, C.J., and OVERTON, McDONALD, SHAW, 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
Fourth District - Case No. 92-0228

(Broward County)

Alan H. Schreiber, Public Defender and Stacey J. Pastel,
Assistant Public Defender, Seventeenth Judicial Circuit, Fort
Lauderdale, Florida,

for Petitioner

Robert A. Butterworth, Attorney General; Joan Fowler, Senior
Assistant Attorney General, Chief, Criminal Law, and James J.
Carney, Assistant Attorney General, West Palm Beach, Florida,

for Respondent