

Supreme Court of Florida

No. 82,668

STEPHANIE A. CARDER,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

ORIGINAL

[September 15, 1994]

PER CURIAM.

We review State v. Carder, 625 So. 2d 966 (Fla. 5th DCA 1993), in which the court certified the following as a question of great public importance:

IS THE REVERSE SPLIT SENTENCE A DOWNWARD
DEPARTURE FROM THE GUIDELINES WHICH REQUIRES
WRITTEN JUSTIFICATIONS?

Id. at 967. We have jurisdiction under article V, section 3(b)(4) of the Florida Constitution.

We answered the identical question in Disbrow v. State, No. 82,857 (Fla. Sept. 15, 1994), in the affirmative.

Accordingly, we approve the decision below.

It is so ordered.

GRIMES, C.J., OVERTON, SHAW, KOGAN and HARDING, JJ., and
McDONALD, Senior Justice, 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
Fifth District - Case No. 92-2797

(Brevard County)

James B. Gibson, Public Defender and James R. Wulchak, Chief,
Appellate Division, Assistant Public Defender, Seventh Judicial
Circuit, Daytona Beach, Florida,

for Petitioner

Robert A. Butterworth, Attorney General and Wesley Heidt,
Assistant Attorney General, Daytona Beach, Florida,

for Respondent