

Supreme Court of Florida

No. 83,500

ORIGINAL

DARRYL SHAWN GUILFORD,
et al., Petitioners,

vs.

STATE OF FLORIDA,
Respondent.

[October 27, 1994]

PER CURIAM.

We review State v. Guilford, 633 So. 2d 548 (Fla. 5th DCA 1994), 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 551. We have jurisdiction under article V, section 3(b)(4) of the Florida Constitution.

We answered the identical question in the affirmative in Disbrow v. State, 19 Fla. L. Weekly S443 (Fla. Sept. 15, 1994).

Accordingly, we approve the decision below.

It is so ordered.

GRIMES, C.J., and OVERTON, SHAW, KOGAN, HARDING, WELLS and ANSTEAD, 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
Fifth District - Case Nos. 92-1389, 92-2045, 92-2240
& 92-2796

(Brevard County)

James B. Gibson, Public Defender and Kenneth Witts, Assistant
Public Defender, Seventh Judicial Circuit, Daytona Beach,
Florida,

for Petitioners

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

for Respondent