

Supreme Court of Florida

ORIGINAL

No. 83,870

JOHN D. POLSON,

Petitioner,

vs.

STATE OF FLORIDA,

Respondent.

[May 4, 1995]

SHAW, J.

We have for review Polson v. State, 636 So. 2d 605 (Fla. 5th DCA 1994), wherein the district court relied on Bouters v. State, 634 So. 2d 246 (Fla. 5th DCA 1994), to affirm a trial court order finding Florida's stalking statute, § 784.048, Florida Statutes (Supp. 1992), constitutional. We have jurisdiction. Art. V, § 3(b)(3), Fla. Const.

We recently reviewed Bouters and found the statute

constitutional. See Bouters v. State, No. 83,558 (Fla. Apr. 27, 1995). Accordingly we approve the district court decision in Polson.

It is so ordered.

GRIMES, C.J., and OVERTON, 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 - Statutory Validity
Fifth District - Case No. 93-1891

(Seminole County)

James B. Gibson, Public Defender and Sean K. Ahmed, Assistant
Public Defender, Seventh Judicial Circuit, Daytona Beach,
Florida,

for Petitioner

Robert A. Butterworth, Attorney General and Michael J. Neimand,
Assistant Attorney General, Miami, Florida; and Parker D. Thomson
and Carol A. Licko, Special Assistant Attorneys General, Miami,
Florida,

for Respondent