

Supreme Court of Florida

ORIGINAL

No. 84,028

COLIN FOLSOM,

Petitioner,

vs.

STATE OF FLORIDA,

Respondent.

[May 4, 1995]

SHAW, J.

We have for review Folsom v. State, 638 So. 2d 591 (Fla. 3d DCA 1994), wherein the district court relied on Bouters v. State, 634 So. 2d 246 (Fla. 5th DCA 1994), to uphold the constitutionality of Florida's anti-stalking statute, section 784.048, Florida Statutes (1993). We have jurisdiction. Art. V, § 3(b)(3), Fla. Const.

We have recently upheld the constitutionality of the anti-stalking statute. See Bouters v. State, No. 83,558 (Fla. Apr. 27, 1995). Accordingly, we approve Folsom on this issue.

It is so ordered.

GRIMES, C.J., and OVERTON, HARDING, WELLS and ANSTEAD, JJ., concur.

KOGAN, J., concurs specially with an opinion.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED.

KOGAN, J., specially concurring.

With the exception of the reservations that I stated in Bouters v. State, No. 83,558 (Fla. Apr. 27, 1995), (Kogan, J., specially concurring), I concur with majority.

Application for Review of the Decision of the District Court of
Appeal - Direct Conflict of Decisions

Third District - Case No. 93-1196

(Monroe County)

Bennett H. Brummer, Public Defender and Manuel Alvarez, Assistant
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for Petitioner

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for Respondent