

Supreme Court of Florida

ORIGINAL

No. 84,804

JOHN A. SALATINO,

Petitioner,

vs.

STATE OF FLORIDA,

Respondent.

[May 11, 1995]

SHAW, J.

We have for review Salatino v. State, 644 So. 2d 1035 (Fla. 1st DCA 1994), wherein the district court upheld the constitutionality of the anti-stalking statute, section 784.048, Florida Statutes (Supp. 1992), and certified:

Is section 784.048, Florida Statutes (Supp. 1992), facially unconstitutional as vague and overbroad?

We have jurisdiction. Art. V, § 3(b)(4), Fla. Const.

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

Subject to 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 - Certified Great Public Importance

First District - Case No. 93-2352

(Leon County)

Nancy A. Daniels, Public Defender and Raymond Dix, Assistant
Public Defender, Second Judicial Circuit, Tallahassee, Florida,

for Petitioner

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

for Respondent