

# Supreme Court of Florida

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No. 85,331

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STATE OF FLORIDA,

Petitioner,

vs.

RICHARD GELLER,

Respondent.

[February 22, 1996]

PER CURIAM.

We have for review a decision of the Second District Court of Appeal passing upon the following question certified to be of great public importance:

DOES THE SUPREME COURT'S PROMULGATION OF THE FORM "ORDER OF PROBATION" IN FLORIDA RULE OF CRIMINAL PROCEDURE 3.986 CONSTITUTE SUFFICIENT NOTICE TO PROBATIONERS OF CONDITIONS 1-11 SUCH THAT ORAL PRONOUNCEMENT OF THESE CONDITIONS BY THE TRIAL COURT IS UNNECESSARY?

See Geller v. State, 651 So. 2d 192, 193 (Fla. 2d DCA 1995). We have jurisdiction. Art. V, § 3(b)(4), Fla. Const. Since we have already answered the identical question in the affirmative in State v. Hart, No. 85,168 (Fla. Feb. 22, 1996), we quash the district court decision and remand to the district court for proceedings consistent with Hart.

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 - Certified Great Public Importance  
Second District - Case No. 93-02670

(Pinellas County)

Robert A. Butterworth, Attorney General and Dale E. Tarpley,  
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for Petitioner

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for Respondent