

Supreme Court of Florida

No. 85,479

STATE OF FLORIDA, Petitioner,

vs.

BOB MICHAEL CHAMPAGNE, Respondent.

[October 5, 1995]

OVERTON, J.

We have for review Champagne v. State, 651 So. 2d 1217 (Fla. 3d DCA 1995), in which the district court vacated Bob Michael Champagne's sentence and certified the following question as being one of great public importance:

Whether Hale v. State, 630 So. 2d 521 (Fla. 1993), cert. denied, [115 S. Ct. 278, 130 L. Ed. 2d 195 (1994)], precludes under all circumstances the imposition of consecutive sentences for crimes arising from a single criminal episode for habitual felony or habitual violent felony offenders.

We have jurisdiction. Art. V, § 3(b)(4), Fla. Const. In State v. Hill, No. 84,727 (Fla. Oct. 5, 1995), we have answered this

same certified question in the affirmative. For the reasons set forth in Hill, we approve the district court's decision in the instant case.

It is so ordered.

GRIMES, C.J., and SHAW, KOGAN, HARDING and ANSTEAD, JJ., concur.
WELLS, J., dissents.

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
Third District - Case No. 93-2622

(Dade County)

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