

Supreme Court of Florida

No. 86,887

EUGENE EDWARDS,

Petitioner,

vs.

STATE OF FLORIDA,

Respondent.

[September 12, 1996]

PER CURIAM.

We accepted jurisdiction to review Edwards v. State, 662 So. 2d 405 (Fla. 1st DCA 1995), based upon the district court's certification of conflict with the opinion in Quiles v. State, 523 So. 2d 1261 (Fla. 2d DCA 1988). However, after hearing oral argument, we concluded that the decision below does not expressly and directly conflict with Quiles. Therefore, we have determined to dismiss the petition.

It is so ordered.

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

NO MOTION FOR REHEARING WILL BE ALLOWED.

Application for Review of the Decision of the District Court of
Appeal - Certified Direct Conflict of Decisions
First District - Case No. 94-3176

(Duval County)

James T. Miller of Corse, Bell & Miller, P.A., Jacksonville,
Florida,

for Petitioner

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Giselle Lylen Rivera, Assistant Attorney General, Tallahassee,
Florida,

for Respondent