

IN THE SUPREME COURT OF THE STATE OF FLORIDA

FILED

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DEC 18 1995

CLERK, SUPREME COURT
By CH
Chief Deputy Clerk

RONALD WALKER,

Petitioner

v.

STATE OF FLORIDA

Respondent.

Case No. _____

**ON APPEAL FROM THE FOURTH
DISTRICT COURT OF APPEAL**

RESPONDENT'S BRIEF ON JURISDICTION

**ROBERT BUTTERWORTH
ATTORNEY GENERAL
Tallahassee, Florida**

**JOSEPH A. TRINGALI
Assistant Attorney General
Florida Bar No.: 0134924
1655 Palm Beach Lakes Blvd
Suite 300
West Palm Beach, FL 33401
Telephone (407) 688-7759**

Counsel for Respondent

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PRELIMINARY STATEMENT

Respondent, the State of Florida, was the prosecuting authority and appellee in the appended Walker v. State, Fla. 4th DCA Case No 94-2218 (October 25, 1995). Petitioner, Ronald Walker, was the criminal defendant and appellee below.

In this brief, the parties will be referred to as they appear before this Court, except that the Appellee may also be referred to as "State" or "Prosecution."

The following symbols will be used:

R = Record on Appeal

T = Transcript of trial and sentencing proceedings

STATEMENT OF THE CASE AND FACTS

Respondent accepts Petitioner's "Statement of the Case and Facts" (AB 2) as accurate and objective.

SUMMARY ARGUMENT

Respondent agrees that in view of this Court's holding in Jollie v. State, 405 So. 2d 418 (Fla. 1981), the Court should accept jurisdiction of this case.

ARGUMENT

The Florida Fourth District Court of Appeal affirmed Petitioner's conviction in reliance on King v. State, 648 So. 2d 183 (Fla. 1st DCA 1994), rev. granted, No. 85,026 (Fla. May 25, 1995). In view of the fact that this court has granted review of King, Respondent agrees that, pursuant to the Court's holding in Jollie v. State, 405 So. 2d 418 (Fla. 1981), the Court should accept jurisdiction of the case at bar and resolve it concomitantly with King.

CONCLUSION

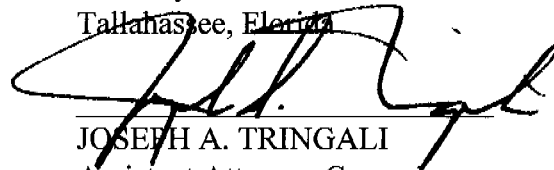
WHEREFORE Respondent does not object to the Court accepting jurisdiction in this case, and suggests that this honorable Court should take such action as it deems appropriate in the premises.

Respectfully submitted,

ROBERT A. BUTTERWORTH

Attorney General

Tallahassee, Florida



JOSEPH A. TRINGALI

Assistant Attorney General

Florida Bar No.: 0134924

1655 Palm Beach Lakes Blvd

Suite 300

West Palm Beach, FL 33401

Telephone (407) 688-7759

FAX (407) 688-7771

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing "Respondent's Brief on Jurisdiction" has been sent by courier to TATJANA OSTAPOFF, Esq., Assistant Public Defender, 421 3rd Street, 6th Floor, West Palm Beach, FL 33401 on December 11, 1995.



JOSEPH A. TRINGALI

Counsel for Respondent