

# Supreme Court of Florida

**ARTHUR LEE HUGHES,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

No. 89,919

[September 11, 1997]

SHAW, J.

We have for review Hughes v. State, 686 So. 2d 710 (Fla. 1st DCA 1996), wherein the court certified:

Once a trial court has determined that a defendant has knowingly waived his or her right to counsel, may the court nonetheless require the defendant to be represented by counsel because of concern that the defendant might be deprived of a fair trial if tried without such representation?

Id. at 710. We have jurisdiction. Art. V, § 3(b)(4), Fla. Const. We have since answered this question in the negative. See State v. Bowen, 22 Fla. Law Weekly S208 (Fla. April 24, 1997). We quash Hughes.

It is so ordered.

KOGAN, C.J., and OVERTON, GRIMES, 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

First District - Case No. 95-2168

(Duval County)

Glen P. Gifford, Assistant Public Defender,  
Second Judicial Circuit, Tallahassee, Florida,

for Petitioner

Robert A. Butterworth, Attorney General;  
James W. Rogers, Tallahassee Bureau Chief,  
Criminal Appeals, and Stephen R. White,  
Assistant Attorney General, Tallahassee,  
Florida,

for Respondent