

# ORIGINAL

IN THE SUPREME COURT OF FLORIDA

JOHNNIE E. HILL,

Petitioner, :

vs. :

Case No. 90,049

STATE OF FLORIDA, :

Respondent. •

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**FILED**

SID J. WHITE

MAY 27 1997

CLERK, SUPREME COURT

By \_\_\_\_\_  
Chief Deputy Clerk

DISCRETIONARY REVIEW OF DECISION OF THE  
DISTRICT COURT OF APPEAL OF FLORIDA  
SECOND DISTRICT

REPLY BRIEF OF PETITIONER ON THE MERITS

JAMES MARION MOORMAN  
PUBLIC DEFENDER  
TENTH JUDICIAL CIRCUIT

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ARGUMENT

ISSUE 1

THE TRIAL COURT ERRED IN NOT INSURING APPELLANT'S RIGHT TO BE PRESENT AT A BENCH CONFERENCE AT WHICH THE JURY WAS SELECTED.

Petitioner relies on the reasons, arguments, and authorities presented in his Initial Brief.

ISSUE II

APPELLANT'S DUAL CONVICTIONS FOR ARMED ROBBERY AND CARJACKING CANNOT STAND WHERE BOTH CONVICTIONS AROSE FROM A SINGLE CRIMINAL TRANSACTION AND BOTH CONVICTIONS ARE VARIANTS OF THE SAME CORE OFFENSE.


Petitioner relies on the reasons, arguments, and authorities presented in his Initial Brief.

CERTIFICATE OF SERVICE

I certify that a copy has been mailed to Deborah F. Hogge, Suite 700, 2002 N. Lois Ave., Tampa, FL 33607, (813) 873-4739, on this 22<sup>nd</sup> day of May, 1997.

Respectfully submitted,

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/jcf