

Supreme Court of Florida

COPY

STATE OF FLORIDA,
Petitioner,

vs.

JOHN WEBER,
Respondent.

No. 90,493

[November 6, 1997]

PER CURIAM.

We have for review a district court decision certifying the following question to be of great public importance:

WHETHER DAVIS [v. UNITED STATES, 512 U.S. 452 (1994)], APPLIES TO THE ADMISSIBILITY OF CONFESSIONS IN FLORIDA IN LIGHT OF TRAYLOR v. STATE, 596 So. 2d 957 (Fla. 1992)?

Weber v. State, 691 So. 2d 55 (Fla. 4th DCA 1997). We have jurisdiction. Art. V, § 3(b)(4), Fla. Const.

In State v. Owen, 696 So. 2d 715 (Fla. 1997), we answered this question in the affirmative. Accordingly, consistent with Owen, we quash the decision below and remand for further proceedings.

It is so ordered.

OVERTON, SHAW, GRIMES, HARDING
and WELLS, JJ., concur.

KOGAN, C.J., dissents.
ANSTEAD, J., recused.

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

Fourth District - Case No. 95-0677

(Palm Beach County)

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