

Supreme Court of Florida

No. 92,514

STATE OF FLORIDA,
Petitioner,

vs.

GEORGE SOWELL,
Respondent.

[June 3, 1999]

PER CURIAM.

We accepted jurisdiction to review Sowell v. State, 23 Fla. L. Weekly D549 (Fla. 1st DCA Feb. 19, 1998), to answer the following question certified to be of great public importance:

WHETHER THE CHAPTER 93-92, LAWS OF FLORIDA, AMENDMENT TO SECTION 893.03(1)(D), FLORIDA STATUTES, EFFECTS A CLEAR AND UNEQUIVOCAL ABROGATION OF THE COMMON LAW DEFENSE OF MEDICAL NECESSITY AS RECOGNIZED IN JENKS, AND AS APPLIED TO A SERIOUSLY ILL INDIVIDUAL WHO CULTIVATES MARIJUANA SOLELY FOR

PERSONAL USE TO OBTAIN MEDICAL RELIEF?

After a more complete review of the certified question and decision of the First District, we conclude that the actual legal question deals with an extremely narrow principle of law, and, as phrased, does not present an issue of "great public importance." See Sowell at D549 (Allen, J., concurring) (dissenting as to certification). Because we improvidently granted jurisdiction, we dismiss this petition.

It is so ordered.

HARDING, C.J., and SHAW, WELLS, ANSTEAD, PARIENTE, LEWIS and QUINCE, JJ., concur.

NO MOTION FOR REHEARING WILL BE ALLOWED.

Application for Review of the Decision of the District Court of Appeal - Certified Great Public Importance

First District - Case No. 96-1317

(Washington County)

Robert A. Butterworth, Attorney General, James W. Rogers, Tallahassee Bureau Chief, Criminal Appeals, and Giselle Lylen Rivera, Assistant Attorney General, Tallahassee, Florida,

for Petitioner

John F. Daniel of Daniel & Komarek, Chartered, Panama City, Florida,

for Respondent

Grant J. Shostak, St. Louis, Missouri,

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