

Supreme Court of Florida

No. SC94933

DARYL JERVIS,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[July 13, 2000]

PER CURIAM.

We have for review Jervis v. State, 727 So. 2d 981 (Fla. 5th DCA 1999), a decision of the Fifth District Court of Appeal citing as controlling authority its opinion in Maddox v. State, 708 So. 2d 617 (Fla. 5th DCA 1998), approved in part, disapproved in part, 25 Fla. L. Weekly S367 (Fla. May 11, 2000). We have jurisdiction. See art. V, § 3(b)(3), Fla. Const.; Jollie v. State, 405 So. 2d 418, 420 (Fla. 1981). Because the parties have not adequately briefed the merits of the alleged scoresheet error in this case, we quash the decision below and remand for the district

court's consideration in light of our opinion in Maddox.¹

It is so ordered.

WELLS, C.J., and SHAW, HARDING, ANSTEAD, PARIENTE, LEWIS and
QUINCE, 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 -
Direct Conflict

Fifth District - Case No. 5D97-2684

(Brevard County)

James B. Gibson, Public Defender, and Anne Moorman Reeves, Assistant Public
Defender, Seventh Judicial Circuit, Daytona Beach, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, and Belle B. Schumann and Wesley Heidt,
Assistant Attorneys General, Daytona Beach, Florida,

for Respondent

¹We decline to address the other issues raised by Jervis that are not the basis of our jurisdiction. See, e.g., Wood v. State, 750 So. 2d 592, 595 n.3 (Fla. 1999); McMullen v. State, 714 So. 2d 368, 373 (Fla. 1998).