

# Supreme Court of Florida

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No. SC95222

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**STATE OF FLORIDA,**  
Petitioner,

vs.

**JOCELYN PIERRE,**  
Respondent.

[March 23, 2000]

PER CURIAM.

We initially accepted review of the opinion in Pierre v. State, 732 So. 2d 376 (Fla. 2d DCA 1999), based on alleged express and direct conflict with the opinion in State v. Dilyerd, 467 So. 2d 301 (Fla. 1985). Upon further consideration, we find that jurisdiction was improvidently granted in this case. Accordingly, we hereby dismiss review of this cause.

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 -  
Direct Conflict

Second District - Case No. 2D98-01217

(Hillsborough County)

Robert A. Butterworth, Attorney General, Robert J. Krauss, Senior Assistant Attorney  
General, and Erica M. Raffel, Assistant Attorney General, Tampa, Florida,

for Petitioner

David R. Gemmer, St. Petersburg, Florida,

for Respondent