

Supreme Court of Florida

No. SC95292

SEAIN C. HULL,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[May 18, 2000]

PER CURIAM.

We initially accepted for review the decision in Hull v. State, 727 So. 2d 1152 (Fla. 5th DCA 1999), wherein the Fifth District Court of Appeal cited as controlling authority Heggs v. State, 718 So. 2d 263 (Fla. 2d DCA 1998), which was then pending on review in this Court.¹ However, after carefully reviewing the limited record and the parties' briefs in this case, it is unclear whether Seain C. Hull's two-year sentence

¹We have since issued our decision in Heggs v. State, 25 Fla. L. Weekly S137 (Fla. Feb. 17, 2000) (holding chapter 95-184, Laws of Florida, to be unconstitutional as violative of the single subject rule contained in article III, section 6 of the Florida Constitution).

under the 1995 guidelines has expired, thus mooted his single subject rule challenge to chapter 95-184, Laws of Florida. Accordingly, we dismiss review as improvidently granted in this case, without prejudice for Hull to seek a determination in the trial court as to whether he is entitled to relief pursuant to our decision in Heggs.

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

Fifth District - Case No. 5D99-452

(Brevard County)

Seain C. Hull, pro se, Crestview, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, and Belle B. Schumann, Kellie A. Nielan, and Kristen L. Davenport, Assistant Attorneys General, Daytona Beach, Florida,

for Respondent