

Supreme Court of Florida

No. SC95604

ALONZO MOORE,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[June 22, 2000]

PER CURIAM.

We have for review the decision in Moore v. State, 729 So. 2d 541 (Fla. 1st DCA 1999), in which the district court, as it did in Woods v. State, 740 So. 2d 20 (Fla. 1st DCA 1999), certified the following question:

DOES THE PRISON RELEASEE REOFFENDER
PUNISHMENT ACT, CODIFIED AS SECTION 775.082(8),
FLORIDA STATUTES (1997), VIOLATE THE SEPARATION
OF POWERS CLAUSE OF THE FLORIDA CONSTITUTION?

We have jurisdiction. See art. V, § 3(b)(4), Fla. Const.

We recently approved the First District's opinion in Woods, holding that the

Prisoner Releasee Reoffender Act, as properly interpreted by the First District, does not violate separation of powers. See State v. Cotton, Nos. SC94996 & SC95281 (Fla. June 15, 2000). Accordingly, for the reasons expressed in Cotton, we answer the certified question in the negative and approve the First District's decision in this case.

It is so ordered.

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

QUINCE, J., dissents with an opinion.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION, AND IF FILED, DETERMINED.

QUINCE, J., dissenting.

I dissent for the reasons stated in my dissent in State v. Cotton, Nos. SC94996 & SC95281 (Fla. June 15, 2000).

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

First District - Case No. 1D98-167

(Duval County)

Nancy A. Daniels, Public Defender and Carl S. McGinnes, Assistant Public Defender, Second Judicial Circuit, Tallahassee, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, James W. Rogers, Bureau Chief, Criminal Appeals, and Charmaine M. Millsaps, Assistant Attorney General, Tallahassee, Florida,

for Respondent