

Supreme Court of Florida

No. SC96487

DAVID REYES,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[July 6, 2000]

PER CURIAM.

We have for review the decision in Reyes v. State, 742 So. 2d 825 (Fla. 1st DCA 1999), in which the First District certified the same question which it certified in Woods v. State, 740 So. 2d 20 (Fla. 1st DCA 1999):

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 decision in Woods, holding that the

Prisoner Releasee Reoffender Act, as properly interpreted by the First District, does not violate separation of powers, and rejecting other constitutional challenges to the Act. 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.

WELLS, C.J., and SHAW, HARDING, 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. 1D98-544

(Duval County)

Nancy A. Daniels, Public Defender, and Glenna Joyce Reeves, Assistant Public
Defender, Second Judicial Circuit, Tallahassee, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, James W. Rogers, Tallahassee Bureau Chief, Criminal Appeals, and Carolyn J. Mosley, Assistant Attorney General, Tallahassee, Florida,

for Respondent