

# *Supreme Court of Florida*

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No. SC96763

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**DARON MERRITT,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

[March 28, 2002]

PER CURIAM.

We initially accepted review of the decision of the district court of appeal in Merritt v. State, 739 So. 2d 735 (Fla. 1st DCA 1999), based on a question certified to be of great public importance. See art. V, § 3(b)(4), Fla. Const.

Upon further consideration, we find that review was improvidently granted. Accordingly, this review proceeding is dismissed.

It is so ordered.

WELLS, C.J., and SHAW, HARDING, 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 - Certified  
Great Public Importance

First District - Case No. 1D97-4795

(Duval County)

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

for Petitioner

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Chief, Criminal Appeals, and Charmaine M. Millsaps, Assistant Attorney General,  
Tallahassee, Florida,

for Respondent