

# Supreme Court of Florida

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No. SC96764

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**ROOSEVELT RICHARDSON,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

[July 6, 2000]

PER CURIAM.

We have for review the decision in Richardson v. State, 748 So. 2d 1042 (Fla. 5th DCA 1999), in which the Fifth District certified the same question as did the First District 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 approve the decision of the Fifth District 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

Fifth District - Case No. 5D99-179

(Volusia County)

James B. Gibson, Public Defender, and Nancy Ryan, Assistant Public Defender, Seventh

Judicial Circuit, Daytona Beach, Florida,

for Petitioner

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

for Respondent