

Supreme Court of Florida

No. SC96852

JOY FRIEDRICH,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[September 7, 2000]

PER CURIAM.

We have for review a decision on the following question certified to be of great public importance:

DOES LOVE V. GARCIA, 634 So.2d 158 (Fla.1994),
APPLY IN CRIMINAL PROSECUTIONS WHERE
BLOOD ALCOHOL TEST RESULTS ARE OFFERED
AS PROOF TO ESTABLISH AN ELEMENT OF THE
OFFENSE, IF THE BLOOD ALCOHOL TESTS WERE
ADMINISTERED BY HOSPITAL PERSONNEL FOR
MEDICAL TREATMENT PURPOSES?

Friedrich v. State, 743 So. 2d 1125, 1126 (Fla. 4th DCA 1999). We have jurisdiction.

See art. V, § 3(b)(4), Fla. Const.

We answered an identical certified question affirmatively in Baber v. State, No. SC96010 (Fla. Aug. 31, 2000). Because the district court's decision is consistent with our decision in Baber, we approve the decision below.¹

It is so ordered.

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

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

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

Fourth District - Case No. 4D98-0891

(Palm Beach County)

Richard W. Springer and Catherine Mazzullo of Springer & Springer, Palm Springs, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, Celia Terenzio, Assistant Attorney General, Bureau Chief, and Robert R. Wheeler, Assistant Attorney General, West Palm Beach, Florida,

for Respondent

¹ We decline to address additional issues raised by petitioner as being outside the scope of the certified question and decision below.