

# Supreme Court of Florida

---

No. SC97066

---

**LEONARDO GONZALES,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

[July 6, 2000]

PER CURIAM.

We have for review the decision in Gonzales v. State, 24 Fla. L. Weekly D2356 (Fla. 3d DCA Oct. 13, 1999), in which the district court certified the same question of great public importance which was 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?

24 Fla. Weekly at D2356. 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 Third District's decision regarding the issue posed therein.<sup>1</sup>

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

---

<sup>1</sup>We do not express an opinion regarding the ex post facto argument addressed by the Third District in its opinion, as that issue has not been raised before this Court.

Third District - Case No. 3D98-1378

( Monroe County)

Bennett H. Brummer, Public Defender, and Bruce A. Rosenthal, Assistant Public Defender, Eleventh Judicial Circuit, Miami, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, and Michael J. Neimand and Barbara A. Zappi, Assistant Attorneys General, Fort Lauderdale, Florida,

for Respondent