

Supreme Court of Florida

THURSDAY, APRIL 15, 2021

CASE NO.: SC18-973

Lower Tribunal No(s).:

042011CF000498CFAXMX

WAYNE C. DOTY

vs. STATE OF FLORIDA

Appellant(s)

Appellee(s)

Appellant's Motion for Rehearing is hereby denied.

CANADY, C.J., and POLSTON, LABARGA, LAWSON, and MUÑIZ, JJ., concur.

LABARGA, J., concurs with an opinion.

COURIEL and GROSSHANS, JJ., did not participate.

LABARGA, J., concurring.

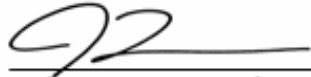
As expressed in my concur in part, dissent in part opinion in *Doty v. State*, 45 Fla. L. Weekly S66 (Fla. Feb. 13, 2020), I maintain my dissent to the use of “determinations” instead of “findings” to describe the requirements set forth in section 921.141(2)(b)2., Florida Statutes (2018). However, because I concurred in the majority's affirmance of Doty's death sentence, I also agree with the majority's decision to deny rehearing.

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Test:



John A. Tomasino
Clerk, Supreme Court



so

Served:

JANINE D. ROBINSON
HON. JESSICA JOAN YEARY, PUBLIC DEFENDER
BARBARA J. BUSHARIS
CHARMAINE M. MILLSAPS
HON. WILLIAM E. DAVIS, JUDGE
LUIS E. BUSTAMANTE
RAY NORMAN, CLERK
HON. MARK W. MOSELEY, CHIEF JUDGE