

Supreme Court of Florida

No. SC00-1322

RANDOLPH HANSBROUGH,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[July 12, 2001]

LEWIS, J.

We have for review Hansbrough v. State, 757 So. 2d 1282 (Fla. 4th DCA 2000), wherein the Fourth District Court of Appeal certified the following questions as being of great public importance:

WHETHER SECTION 817.234(8), FLORIDA STATUTES,
INCLUDES A REQUIREMENT OF SPECIFIC INTENT TO
DEFRAUD THE INSURER.

and, if not

WHETHER THE STATUTE ADVANCES THE GOVERNMENTAL
INTEREST IN PREVENTING INSURANCE FRAUD AND IS NOT

MORE EXTENSIVE THAN IS NECESSARY TO SERVE THAT INTEREST.

Id. at 1283. We have jurisdiction. See art. V, § 3(b)(4), Fla. Const.

These questions were both answered in the negative in our recent opinion in State v. Bradford, 26 Fla. L. Weekly S369 (Fla. May 31, 2001). Consistent with Bradford, the district court's decision is quashed and the case is remanded with directions that Hansbrough's conviction be reversed.

It is so ordered.

WELLS, C.J., and SHAW, HARDING, ANSTEAD, PARIENTE, 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. 4D99-0169

(Broward County)

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Florida,

for Petitioner

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for Respondent