

Supreme Court of Florida

No. SC00-1684

ANTHONY PETE,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[June 14, 2001]

LEWIS, J.

We have for review Pete v. State, 764 So. 2d 591 (Fla. 2d DCA 2000). We have jurisdiction. See art. V, § 3(b)(3), Fla. Const.

We vacate the decision of the district court and remand for reconsideration upon application of our decisions in Grant v. State, 770 So. 2d 655 (Fla. 2000); State v. Cotton, 769 So. 2d 345 (Fla. 2000); McKnight v. State, 769 So. 2d 1039 (Fla. 2000); and Ellis v. State, 762 So. 2d 912 (Fla. 2000).

It is so ordered.

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

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 -
Direct Conflict

Second District - Case No. 2D99-2643

(Sarasota County)

James Marion Moorman, Public Defender, and Robert D. Rosen, Assistant Public
Defender, Tenth Judicial Circuit, Bartow, Florida,

for Petitioner

No appearance,

for Respondent