

Supreme Court of Florida

No. SC00-1869

STATE OF FLORIDA,
Petitioner,

vs.

CALVIN HARRIS,
Respondent.

[June 14, 2001]

LEWIS, J.

We have for review Harris v. State, 764 So. 2d 942 (Fla. 4th DCA 2000).

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

We partially quash the decision of the district court below only as it relates to the petitioner's sentencing under the Prison Releasee Reoffender Act, 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). We

approve the determination of the Fourth District with regard to Harris's conviction.

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

Fourth District - Case No. 4D99-1300

(Broward County)

Robert A. Butterworth, Attorney General, Michael J. Neimand, Bureau Chief,
Criminal Appeals, and Steven R. Parrish, Assistant Attorney General, Fort
Lauderdale, Florida,

for Petitioner

No Appearance,

for Respondent