

Supreme Court of Florida

No. SC00-310

LENNARD LAPOINT JENKINS,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[March 15, 2001]

PER CURIAM.

We initially accepted review of Jenkins v. State, 747 So. 2d 997 (Fla. 5th DCA 1999), on the basis of an alleged express and direct conflict with our decision in State v. Houck, 652 So. 2d 359 (Fla. 1995). See art. V, § 3(b)(3), Fla. Const. Upon further consideration, we find that jurisdiction was improvidently granted in this case. Accordingly, we hereby dismiss review of this cause.

It is so ordered.

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

NO MOTION FOR REHEARING WILL BE ALLOWED.

Application for Review of the Decision of the District Court of Appeal -
Direct Conflict

Fifth District - Case No. 5D99-341

(Volusia County)

James B. Gibson, Public Defender, and S. C. Van Voorhees and Barbara C. Davis,
Assistant Public Defenders, Seventh Judicial Circuit, Daytona Beach, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, and Kellie A. Nielan, and Wesley Heidt,
Assistant Attorneys General, Daytona Beach, Florida,

for Respondent