

Supreme Court of Florida

No. SC00-519

LEONARD MCKINNEY,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[October 4, 2001]

PER CURIAM.

We have for review a decision on the following question certified to be of great public importance:

DOES THE PRISON RELEASEE REOFFENDER
PUNISHMENT ACT, CODIFIED AS SECTION
775.082(8), FLORIDA STATUTES (1997), VIOLATE
THE SEPARATION OF POWERS CLAUSE OF THE
FLORIDA CONSTITUTION?

McKinney v. State, 751 So. 2d 766 (Fla. 1st DCA 2000). We have jurisdiction.

See art. V, § 3(b)(4), Fla. Const.

In State v. Cotton, 769 So. 2d 345 (Fla. 2000), we answered the certified question in the negative. We therefore discharge jurisdiction.

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 -
Certified Great Public Importance

First District - Case No. 1D98-2395

(Duval County)

Nancy A. Daniels, Public Defender, and Fred Parker Bingham II, Assistant Public Defender, Second Judicial Circuit, Tallahassee, Florida,

for Petitioner

Robert A. Butterworth, Attorney General, James W. Rogers, Tallahassee Bureau Chief, Criminal Appeals, and Charmaine M. Millsaps, Assistant Attorney General, Tallahassee, Florida,

for Respondent