

# Supreme Court of Florida

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No. SC00-633

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**EARL L. NEWSOME**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

[May 31, 2001]

LEWIS, J.

We have for review Newsome v. State, 779 So. 2d 351 (Fla. 2d DCA 2000).

We have jurisdiction. See art. V, § 3(b)(4), 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 -  
Certified Direct Conflict

Second District - Case No. 2D99-1530

(Pinellas County)

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

for Petitioner

Robert A. Butterworth, Attorney General, and Robert J. Krauss, Senior Assistant  
Attorney General, Chief of Criminal Law, and Anne Sheer Weiner, Assistant  
Attorney General, Tampa, Florida,

for Respondent