

Supreme Court of Florida

No. SC00-66

ANTHONY A. SUTTON,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[May 17, 2001]

LEWIS, J.

We have for review Sutton v. State, 747 So. 2d 459 (Fla. 2d DCA 1999).

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 -
Statutory Validity

Second District - Case No. 2D99-01610

(Polk County)

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Public Defender, Tenth Judicial Circuit, Bartow, Florida,

for Petitioner

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