

# Supreme Court of Florida

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No. SC01-2315

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**DEANDRE BAKER,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

[November 13, 2003]

PER CURIAM.

We granted review of Baker v. State, 793 So. 2d 69 (Fla. 4th DCA 2001), based upon the district court's certification of conflict with the opinion in Lester v. State, 737 So. 2d 1149 (Fla. 2d DCA 1999). See art. V, § 3(b)(4), Fla. Const.

However, after further consideration, we decline to exercise our discretion to review this matter. Accordingly, the petition for review is hereby dismissed.

It is so ordered.

WELLS, PARIENTE, LEWIS, QUINCE, CANTERO, and BELL, JJ., concur.  
ANSTEAD, C.J., dissents.

NO MOTION FOR REHEARING WILL BE ALLOWED.

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

Fourth District - Case No. 4D00-4714

(Palm Beach County)

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Florida,

for Petitioner

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Beach, and Karen Finkle, Assistant Attorney General, West Palm Beach, Florida,

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