

Supreme Court of Florida

No. SC02-1695

RALPH GROSS,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[September 18, 2003]

WELLS, J.

We originally accepted jurisdiction of Gross v. State, 820 So. 2d 1043 (Fla. 4th DCA 2002), based upon express and direct conflict with Hankin v. State, 682 So. 2d 602 (Fla. 2d DCA 1996). However, we find that the Second District's recent decision in Cairl v. State, 833 So. 2d 312 (Fla. 2d DCA 2003), resolved the conflict. Therefore, we discharge jurisdiction because the conflict of decisions was resolved.

It is so ordered.

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

NO MOTION FOR REHEARING WILL BE ALLOWED.

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

Fourth District - Case No. 4D01-2132

(Broward County)

Samuel R. Halpern, Fort Lauderdale, Florida,

for Petitioner

Charles J. Crist, Jr., Attorney General, Celia Terenzio, Bureau Chief, West Palm Beach, and James J. Carney, Assistant Attorney General, West Palm Beach, Florida,

for Respondent