

# Supreme Court of Florida

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No. SC03-717

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**SHAMOND BYRD,**  
Appellant,

vs.

**STATE OF FLORIDA,**  
Appellee.

[March 17, 2005]

PER CURIAM.

We initially accepted jurisdiction to review Byrd v. State, 841 So. 2d 502 (Fla. 3d DCA 2003), pursuant to article V, section 3(b)(3) of the Florida Constitution. Upon further consideration, we now conclude that jurisdiction was improvidently granted. Accordingly, this review proceeding is dismissed.

It is so ordered.

PARIENTE, C.J., and WELLS, ANSTEAD, 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 of Decisions

Third District - Case No. 3d02-2354

(Dade County)

Bennett H. Brummer, Public Defender and Manuel Alvarez, Assistant Public  
Defender, Eleventh Judicial Circuit, Miami, Florida,

for Petitioner

Charles J. Crist, Jr., Attorney General, Tallahassee, Florida, Richard L. Polin,  
Bureau Chief, Criminal Appeals, Miami, Florida, and Consuelo Maingot, Assistant  
Attorney General, Fort Lauderdale, Florida,

for Respondent