

# Supreme Court of Florida

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No. SC04-1954

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**DUANE EDWIN SUTTON,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

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No. SC04-1955

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**KEITH NORWOOD SMITH,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

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No. SC04-1956

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**JOHN R. BEIKIRICH,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

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No. SC04-1957

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**EDWARD ALLEN SINGLETON,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

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No. SC04-1958

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**JERRY WADE RHOADES,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

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No. SC04-1959

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**GEORGE SAMUEL DEMARCO,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

[June 23, 2005]

PER CURIAM.

We initially accepted jurisdiction to review In re Commitment of Sutton, 884 So. 2d 198 (Fla. 2d DCA 2004).<sup>1</sup> Upon further consideration of the jurisdictional and merits briefs, and after oral argument in these consolidated cases, we have determined that there is no express and direct conflict with any decision of another district court of appeal or of this Court on the same question of law pursuant to article V, section 3(b)(3) of the Florida Constitution. Accordingly, we have determined that jurisdiction was improvidently granted and hereby dismiss these consolidated review proceedings.

It is so ordered.

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

NO MOTION FOR REHEARING WILL BE ALLOWED.

Six Cases Consolidated:

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

Second District – Case Nos. 2D03-2780, 2D03-2973, 2D03-2984,  
2D03-2988, 2D03-2993, and 2D03-3327

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1. The Second District Court of Appeal consolidated six certiorari petitions and issued a single decision, resulting in six petitions for discretionary review which we consolidated.

(Sarasota County)

Elliott C. Metcalfe, Jr., Public Defender and Christopher E. Cosden, Assistant Public Defender, Twelfth Judicial Circuit, Sarasota, Florida,

for Petitioners

Charles J. Crist, Jr., Attorney General, Tallahassee, Florida, Richard L. Polin, Senior Assistant Attorney General and Diana K. Bock, Assistant Attorney General, Tampa, Florida,

for Respondents