

Supreme Court of Florida

No. SC06-1762

JESSIE LEVON DYSON,
Petitioner,

vs.

STATE OF FLORIDA,
Respondent.

[May 31, 2007]

PER CURIAM.

We initially accepted review of the decision in Dyson v. State, 934 So. 2d 548 (Fla. 3d DCA 2006), based on alleged express and direct conflict with Hale v. State, 630 So. 2d 521 (Fla. 1993), and State v. Ferreira, 840 So. 2d 304 (Fla. 5th DCA 2003). Upon further consideration we conclude that jurisdiction was improvidently granted. Accordingly, we hereby discharge jurisdiction and dismiss this review proceeding.

It is so ordered.

LEWIS, C.J., and WELLS, ANSTEAD, PARIENTE, 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. 3D04-1034

(Dade County)

Bennett H. Brummer, Public Defender, and Howard K. Blumberg, Assistant Public Defender, Eleventh Judicial Circuit, Miami, Florida,

for Petitioner

Bill McCollum, Attorney General, Tallahassee, Florida, Richard L. Polin, Bureau Chief Criminal Appeals and Laura Moszer, Assistant Attorney General, Miami, Florida,

for Respondent