

Supreme Court of Florida

No. SC08-1240

STATE OF FLORIDA,
Petitioner,

vs.

RANDOLPH WIGHTMAN,
Respondent.

[July 2, 2009]

PER CURIAM.

We initially accepted jurisdiction to review the decision of the Second District Court of Appeal in Wightman v. State, 982 So. 2d 74 (Fla. 2d DCA 2008), based on express and direct conflict with State v. Generazio, 691 So. 2d 609 (Fla. 4th DCA 1997), and Lazarowicz v. State, 561 So. 2d 392 (Fla. 3d DCA 1990).

After further consideration, we conclude that jurisdiction was improvidently granted. Accordingly, we hereby discharge jurisdiction and dismiss review.

It is so ordered.

QUINCE, C.J., and PARIENTE, LEWIS, CANADY, POLSTON, LABARGA,
and PERRY, 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

Second District - Case No. 2D06-5055

(Hillsborough County)

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General, Tampa, Florida,

for Petitioner

J. Marion Moorman, Public Defender, and James T. Miller, Special Assistant
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