

Supreme Court of Florida

No. SC11-1512

STATE OF FLORIDA,
Petitioner,

vs.

GREGORY G. GEISS,
Respondent.

[April 12, 2012]

PER CURIAM.

We initially accepted jurisdiction to review the decision of the Fifth District Court of Appeal in State v. Geiss, 70 So. 3d 642, 652 (Fla. 5th DCA 2011), in which the district court passed upon a question certified by it to be of great public importance. See art. V, § 3(b)(4), Fla. Const. After further consideration, we have determined that we should exercise our discretion and discharge jurisdiction.

Accordingly, we dismiss this review proceeding.

It is so ordered.

CANADY, C.J., and PARIENTE, LEWIS, QUINCE, 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 - Certified
Great Public Importance

Fifth District - Case No. 5D10-3292

(Brevard County)

Pamela Jo Bondi, Attorney General, Tallahassee, Florida, and Kristen L.
Davenport and Wesley Heidt, Assistant Attorneys General, Daytona Beach,
Florida,

for Petitioner

Angela Meriah Park and Ernest L. Chang, Melbourne, Florida,

for Respondent

James T. Miller, Jacksonville, Florida, Sonya Rudenstine, Gainesville, Florida, and
Michael Ufferman, Tallahassee, Florida, on behalf of Florida Association of
Criminal Defense Lawyers (FACDL),

as Amicus Curiae