

# Supreme Court of Florida

No. 66,650

STATE OF FLORIDA, Petitioner,

v.

MARK ODEN, et al., Respondents.

[October 31, 1985]

PER CURIAM.

In the instant case, the district court held: "It was reversible error for the trial court to depart from the guidelines without providing a contemporaneous written statement of the reasons therefor at the time each sentence was pronounced." Oden v. State, 463 So.2d 313, 314 (Fla. 1st DCA 1984). This holding conflicts with decisions of other district courts of appeal. We approve the instant decision based on our recent opinion in State v. Jackson, no. 65,857 (Fla. Oct. 17, 1985).

It is so ordered.

BOYD, C.J., and ADKINS, OVERTON, McDONALD, EHRLICH and SHAW, JJ.,  
Concur

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF  
FILED, DETERMINED.

Application for Review of the Decision of the District Court of  
Appeal - Certified Direct Conflict

First District - Case Nos. AY-68, AY-71 & AY-92

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for Petitioner

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