

Supreme Court of Florida

No. 67,280

STATE OF FLORIDA, Petitioner,

vs.

RAMON PINA, Respondent.

[May 1, 1986]

SHAW, J.

We grant the petition for review in this case under article V, section 3(b)(4) of the Florida Constitution. The district court certified the following question to be of great public importance:

Under the 1983 amendment to article I, section 12 of the Florida Constitution, does the exclusionary rule apply in probation revocation hearings?

Pina v. State, 473 So.2d 736 (Fla. 2d DCA 1985).

We answered the certified question herein in the affirmative in State v. Cross, No. 67,137 (Fla. May 1, 1986), and approve the decision below on the authority of Cross.

It is so ordered.

BOYD, C.J., and ADKINS, OVERTON, McDONALD, EHRLICH and BARKETT, 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 Great Public Importance

Fourth District - Case Nos. 84-1487, 84-1488 & 84-1489

Jim Smith, Attorney General and Joan Fowler Rossin, Assistant
Attorney General, West Palm Beach, Florida,

for Petitioner

Richard L. Jorandby, Public Defender and Thomas F. Ball, III,
Assistant Public Defender, Fifteenth Judicial Circuit, West Palm
Beach, Florida,

for Respondent