

Supreme Court of Florida

No. 70,269

HORACE LEE HOLMES, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[February 25, 1988]

PER CURIAM.

On June 25, 1987, this Court entered its Order accepting jurisdiction and dispensing with oral argument. After closer consideration, we find that jurisdiction was improvidently granted. Accordingly, the petition for review is dismissed.

It is so ordered.

McDONALD, C.J., and OVERTON, EHRLICH, SHAW, BARKETT, GRIMES
and KOGAN, JJ., Concur

NO MOTION FOR REHEARING WILL BE ENTERTAINED BY THE COURT.
SEE FLA.R.APP.P. 9.330(d).

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

First District - Case No. BM-177

Michael E. Allen, Public Defender and Carl S. McGinnes, Assistant
Public Defender, Second Judicial Circuit, Tallahassee, Florida,

for Petitioner

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for Respondent