

Supreme Court of Florida

No. 71,296

CARVEL HOLLOMAN, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[June 2, 1988]

BARKETT, J.

We have for review Holloman v. State, 511 So.2d 1096 (Fla. 4th DCA 1987), which expressly and directly conflicts with Shull v. Dugger, 515 So.2d 748 (Fla. 1987), and Morganti v. State, No. 71,126 (Fla. Apr. 28, 1988), quashing 510 So.2d 1182 (Fla. 4th DCA 1987). We have jurisdiction. Art. V, § 3(b)(3), Fla. Const.

We quash the decision below and remand for proceedings consistent with our opinions in Shull and Morganti.

It is so ordered.

McDONALD, C.J., and OVERTON, EHRLICH, SHAW, GRIMES and KOGAN, 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 - Direct Conflict of Decisions

Fourth District - Case No. 4-86-2583

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