

# Supreme Court of Florida

\_\_\_\_\_  
No. 71,915  
\_\_\_\_\_

WILLIAM FELTS, Petitioner,

v.

STATE OF FLORIDA, Respondent.

[September 28, 1989]

McDONALD, J.

In Felts v. State, 537 So.2d 995, 1002 (Fla. 1st DCA 1988), the district court certified the following question as being of great public importance:

Whether that portion of chapter 87-110, Laws of Florida, which amends section 921.001(5), Florida Statutes, is applicable to appellate review of sentences imposed for offenses which were committed prior to July 1, 1987.

We answered the identical question in the negative in state v. McGriff, 537 So.2d 107 (Fla. 1989). Therefore, we approve the decision of the district court on rehearing.\* 537 So.2d at 1004-06.

It is so ordered.

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

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

---

\* The original appellate panel affirmed Felts' sentence and certified the question set out above. On rehearing en banc, however, the district court reversed and remanded for resentencing, but adhered to the question certified in the original opinion.

Application for Review of the Decision of the District Court  
of Appeal - Certified Great Public Importance

First District - Case No. BJ-413  
(Madison County)

Michael E. Allen, Public Defender and P. Douglas Brinkmeyer,  
Assistant Public Defender, Second Judicial Circuit, Tallahassee,  
Florida,

for Petitioner

Robert A. Butterworth, Attorney General; Richard E. Doran, Acting  
Director and Gypsy Bailey, Assistant Attorney General, Tallahassee,  
Florida,

for Respondent