

IN THE SUPREME COURT  
OF FLORIDA

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CASE NO. 73,239

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H.W. JONES,  
Petitioner,

vs.

OFFICE OF THE SHERIFF,  
Respondent.

**FILED**  
SID J. WHITE  
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REPLY BRIEF OF PETITIONER

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Elizabeth L. White, Esq.  
Wm. J. Sheppard, Esq.  
Cyra O'Daniel, Esq.  
SHEPPARD AND WHITE, P.A.  
215 Washington Street  
Jacksonville, Florida 32202  
(904) 356-9661

COUNSEL FOR PETITIONER

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PRELIMINARY STATEMENT

The petitioner, H.W. Jones, will be referred to herein as the "petitioner" or "Mr. Jones." The respondent, Office of the Sheriff, will be referred to as "respondent" or the "Office of the Sheriff." References to the Record on Appeal will be designated "R.", followed by the appropriate page numbers out in brackets.

ARGUMENT

Petitioner relies on this Court's recent decision in Johnson v. Citizen's State Bank, \_\_\_\_\_ So.2d \_\_\_\_\_, 14 FLW 2 (Fla., January 6, 1989), as authority for his contention that the Notice of Appeal was a timely filed petition for certiorari, and that the District Court of Appeal accordingly must proceed to the merits of the petition. Id., 14 FLW at 3.

CONCLUSION

In reliance upon the Johnson decision, petitioner respectfully requests this Court to reverse the decision of the First District Court of Appeals below.

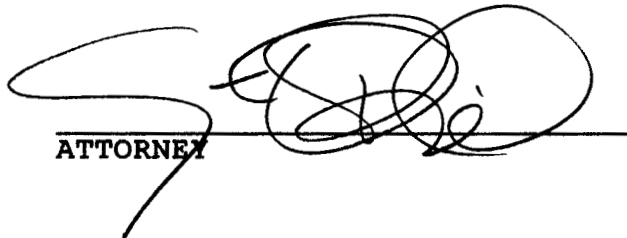
Respectfully submitted,



Cyra O'Daniel  
Florida Bar I.D. #768839  
Sheppard and White, P.A.  
215 Washington Street  
Jacksonville, Fl. 32202  
(904) 356-9661  
ATTORNEYS FOR PETITIONER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to Bruce D. Page, Esquire, Assistant General Counsel, 1300 City Hall, Jacksonville, Florida 32202, by hand, this 9<sup>th</sup> day of January, 1989.



ATTORNEY