

Supreme Court of Florida

No. 77,130

CARLTON BLACK, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[May 9, 1991]

PER CURIAM.

We review Black v. State, 569 So. 2d 942 (Fla. 4th DCA 1990), in which the court certified the following question as one of great public importance:

DOES THE MERE IDENTIFICATION OF A
LOCATION AS A HIGH CRIME AREA UNDULY
PREJUDICE A DEFENDANT WHO IS ARRESTED
THERE?

Id. at 942. We have jurisdiction. Art. V, § 3(b)(4), Fla. Const.

Subsequent to the decision below, this Court issued an opinion in Gillion v. State, 573 So. 2d 810 (Fla. 1991), in which we held that the identification of the location in which the defendant was arrested as a high crime area may or may not be unduly prejudicial, depending upon the circumstances of the case. Therefore, we remand the instant case to the district court of appeal for consideration in light of our opinion in Gillion.

It is so ordered.

SHAW, C.J., and OVERTON, McDONALD, BARKETT, GRIMES, KOGAN and HARDING, 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 No. 89-2912

(Broward County)

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for Petitioner

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