

047
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SID J. WHITE

APR 11 1991

CLERK, SUPREME COURT

By _____
Chief Deputy Clerk

IN THE SUPREME COURT OF FLORIDA

ISIAH N. FIELDS,

Petitioner,

v.

CASE NO. 77,660

STATE OF FLORIDA,

Appellee.
_____ /

JURISDICTIONAL BRIEF OF RESPONDENT

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ARGUMENT

THIS COURT MAY EXERCISE JURISDICTION
IN THESE CONSOLIDATED CASES.

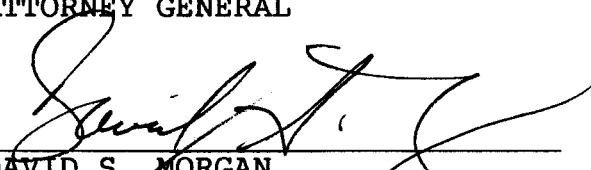
The opinion of the Fifth District Court of Appeal cites *Flowers v. State*, 567 So.2d 1055 (Fla. 5th DCA 1990), and *Walker v. State*, 546 So.2d 764 (Fla. 5th DCA 1989), as controlling authority. Because the *Flowers* decision is now under review by this court this court may exercise jurisdiction to review the instant case as well. *Jollie v. State*, 405 So.2d 418 (Fla. 1981).

CONCLUSION

This court has jurisdiction to review the instant cases.

Respectfully submitted,

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COUNSEL FOR RESPONDENT

CERTIFICATE OF SERVICE

I certify that a copy hereof has been furnished to Michael S. Becker, Assistant Public Defender, 112-A Orange Ave., Daytona Beach, FL 32114, by interoffice delivery on this 15th day of January, 1991.



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ASSISTANT ATTORNEY GENERAL