

Supreme Court of Florida

ORIGINAL

No. 78,800

WALLACE MIRRAL TAYLOR, Petitioner,

vs.

STATE OF FLORIDA, Respondent.

[March 26, 1992]

PER CURIAM.

We review Taylor v. State, 586 So.2d 503 (Fla. 2d DCA 1991), in which the district court certified the same question of great public importance as we answered in Williams v. State, 17 F.L.W. S81 (Fla. Feb. 6, 1992).¹

¹ We have jurisdiction. Art. V, § 3(b)(4), Fla. Const.

In Williams, we held that in the case of multiple violations of probation, sentences may be bumped one cell or guideline range for each violation, but that the court may not depart from the guidelines. Because the trial court in this case departed from the guidelines solely based on Taylor's multiple violations of probation and community control, we quash the opinion below and remand for resentencing in accordance with Williams.

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 Direct Conflict of Decisions

Second District - Case No. 90-01219

(Hillsborough County)

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