

# Supreme Court of Florida

**ORIGINAL**

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No. 78,901  
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STATE OF FLORIDA, Petitioner,

vs.

ARTHUR FORBES, Respondent.

[July 2, 1992]

OVERTON, J.

We quash the decision of the district court in Forbes v. State, 587 So. 2d 674 (Fla. 1st DCA 1991), on the authority of State v. Barnes, 595 So. 2d 22 (Fla. 1992), and remand for further proceedings consistent with Barnes.

It is so ordered.

BARKETT, C.J. and McDONALD, SHAW, 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 - Direct Conflict of Decisions

First District - Case No. 90-1499

(Leon County)

Robert A. Butterworth, Attorney General and Bradley R. Bischoff,  
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