

# Supreme Court of Florida

**ORIGINAL**

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No. 80,141

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JEHOME RIVERS,  
Petitioner

vs.

STATE OF FLORIDA,  
Respondent.

[March 25, 1993]

PER CURIAM.

We review Rivers v. State, 601 So. 2d 561 (Fla. 2d DCA 1992), in which the court affirmed a sentence based on State v. Tripp, 591 So. 2d 1055 (Fla. 2d DCA 1991), quashed, No. 79,176 (Fla. Mar. 25, 1993). In light of this Court's decision in Tripp, we quash the decision below and remand for proceedings consistent with Tripp.

I i s o r d e r e d .

BARKETT, C.J., and OVERTON, 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

Second District - Case No. 91-02588

(Hillsborough County)

James Marion Moorman, Public Defender and Julius Aulisio,  
Assistant Public Defender, Tenth Judicial Circuit, Bartow,  
Florida,

for Petitioner

Robert A. Butterworth, Attorney General and Katherine V. Blanco,  
Assistant Attorney General, Tampa, Florida,

for Respondent