Filing # 46122942 E-Filed 09/07/2016 10:55:28 AM

RECEIVED, 09/07/2016 10:58:41 AM, Clerk, Supreme Court

IN THE SUPREME COURT OF FLORIDA
STATE OF FLORIDA

IRA DEMETRIUS MCPHERSON,

Petitioner.

v.

STATE OF FLORIDA,

Respondent,

Case No. SC14-1369
2DCA No: 2D13-192
L.T. No. 94-CF-1450

RESPONSE TO ORDER TO SHOW CAUSE

COMES NOW the RESPONDENT, State of Florida, by and through the undersigned Assistant Attorney General, and files this Response pursuant to this Court's Order dated August 24, 2016, and would state that the State can show no cause why Atwell v. State, 41 Fla. L. Weekly S244 (Fla. May 26, 2016), is not controlling in this case. Respondent also can show no cause why this Court should not accept jurisdiction, summarily quash the decision being reviewed and remand this case to the district court with instructions to further remand for resentencing in conformance with chapter 2014-220, Laws of Florida. See also Stallings v. State, 2016 WL 4416997 (Fla. 5th DCA August 19, 2016); Jones v. State, 2016 WL 3092693 (Fla. 4th DCA June 1, 2016).

Respectfully submitted,

PAMELA JO BONDI
ATTORNEY GENERAL

s/ Elba Caridad Martin-Schomaker
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COUNSEL FOR RESPONDENT

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. Mail to Ira Demetrius McPherson, DC# 310279, Gulf Correctional Institution, 500 Ike Steele Road, Wewahitchka, Florida 32465, this 7th day of September, 2016.

s/ Elba Caridad Martin-Schomaker
ELBA CARIDAD MARTIN-SCHOMAKER