

Supreme Court of Florida

FRIDAY, OCTOBER 28, 2016

CASE NO.: SC14-2431

Lower Tribunal No(s).:

5D13-1957; 051991CF000072CXXXXX

JEROME ALLEN

vs. STATE OF FLORIDA

Petitioner(s)

Respondent(s)

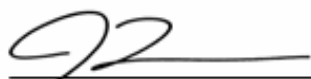
Upon review of the response to this Court's Order to Show Cause dated August 25, 2016, the Court has determined that it should accept jurisdiction in this case. It is ordered that the Petition for Review is granted, that the Fifth District Court of Appeal's decision in this case is quashed, and this matter is remanded to the district court with instructions that the case be further remanded for resentencing in conformance with sections 775.082, 921.1401, and 921.1402 of the Florida Statutes. See Atwell v. State, 41 Fla. L. Weekly S244 (Fla. May 26, 2016).

No Motion for Rehearing will be entertained by the Court.

LABARGA, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, POLSTON,
and PERRY, JJ., concur.

A True Copy

Test:



John A. Tomasino

Clerk, Supreme Court



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Served:

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CHRISTOPHER SINCLAIR QUARLES

PAMELA JANE KOLLER

HON. MITCH NEEDELMAN, CLERK

HON. WILLIAM DAVID DUGAN, JUDGE

HON. JOANNE P. SIMMONS, CLERK