

Supreme Court of Florida

WEDNESDAY, NOVEMBER 9, 2016

CASE NO.: SC15-1417

Lower Tribunal No(s).:

5D14-3543;

13-314873-MMDB

WILLIAM WILLIAMS

vs. STATE OF FLORIDA

Petitioner(s)

Respondent(s)

We originally accepted jurisdiction to review Williams v. State, 167 So. 3d 483 (Fla. 5th DCA 2016), under article V, § 3(b)(3) of the Florida Constitution. The United States Supreme Court subsequently issued its decision in Birchfield v. North Dakota, 136 S.Ct. 2160 (2016). Because the Fifth District did not have the benefit of the United States Supreme Court's opinion in Birchfield when it decided Williams, we vacate the decision in Williams and remand to the Fifth District for reconsideration in light of Birchfield.

It is so ordered.

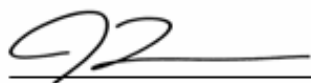
NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND,
IF FILED, DETERMINED.

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

CANADY, J., dissents.

A True Copy

Test:



John A. Tomasino

Clerk, Supreme Court



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Served:

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ROBERT W. RAWLINS, III

ERIC ALAN LATINSKY

HON. DIANE M. MATOUSEK, CLERK

HON. BELLE BROTEMARKLE SCHUMANN, JUDGE

HON. JOANNE P. SIMMONS, CLERK