

Supreme Court of Florida

FRIDAY, JUNE 23, 2017

CASE NO.: SC16-2061

Lower Tribunal No(s).:

2D13-5332;

292009CF015728000BHC

AMER ALI EJAK

vs. STATE OF FLORIDA

Petitioner(s)

Respondent(s)

Upon review of the response to this Court's Order to Show Cause dated December 29, 2016, the Court has determined that it should accept jurisdiction in this case consistent with Kelsey v. State, 206 So. 3d 5 (Fla. 2016). The State, in its response, concedes that Kelsey mandates resentencing in conformance with chapter 2014-220, Laws of Florida, which has been codified in sections 775.082, 921.1401, and 921.1402 of the Florida Statutes. It is therefore ordered that the Petition for Review is granted, that the Second District Court of Appeal's decision in this case is quashed, and that this matter is remanded to the district court for further proceedings consistent with Kelsey.

No Motion for Rehearing will be entertained by the Court.

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

A True Copy

Test:



John A. Tomasino

Clerk, Supreme Court



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Served:

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MAUREEN E. SURBER

CERESE CRAWFORD TAYLOR

HON. PAT FRANK, CLERK

HON. MARY BETH KUENZEL, CLERK

HON. EMMETT LAMAR BATTLES, JUDGE