

Supreme Court of Florida

THURSDAY, MARCH 16, 2017

CASE NO.: SC17-302

Lower Tribunal No(s):
171998CF001795XXXAXX

TIMOTHY LEE HURST

vs. STATE OF FLORIDA

Petitioner(s)

Respondent(s)

Petitioner Timothy Lee Hurst has filed an amended petition for writ of prohibition contending that Respondent, the State of Florida, is precluded from seeking the death penalty during the current resentencing proceedings on double jeopardy and due process grounds. Having determined that the arguments presented are without merit, the petition is hereby denied.

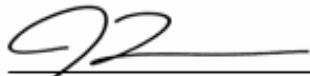
It is so ordered.

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

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

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



tw

Served:

SPIRO THEODORE KYPREOS
JOHN A. MOLCHAN
CHARMAINE MILLSAPS
HON. LINDA LEE NOBLES, CHIEF JUDGE
HON. PAM CHILDERS, CLERK