

# Supreme Court of Florida

---

No. SC02-219

---

**DAVID HARRIS,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

[March 25, 2004]

BELL, J.

We initially accepted jurisdiction to review Harris v. State, 801 So. 2d 321 (Fla. 4th DCA 2001), a decision alleged to be in express and direct conflict with Taylor v. State, 740 So. 2d 89 (Fla. 1st DCA 1999). See art. V, § 3(b)(3), Fla. Const. Upon further consideration, we have now determined that we should exercise our discretion and discharge jurisdiction. Accordingly, this review proceeding is hereby dismissed.

It is so ordered.

ANSTEAD, C.J., and WELLS, PARIENTE, LEWIS, QUINCE, and CANTERO, JJ., concur.

NO MOTION FOR REHEARING WILL BE ALLOWED.

Application for Review of the Decision of the District Court of Appeal - Direct Conflict

Fourth District - Case No. 4D00-4197

(St. Lucie County)

Carey Haughwout, Public Defender, and Benjamin W. Maserang, Assistant Public Defender, Fifteenth Judicial Circuit, West Palm Beach, Florida,

for Petitioner

Charles J. Crist, Jr., Attorney General, and David M. Schultz, James J. Carney, and Melanie A. Dale, Assistant Attorneys General, West Palm Beach, Florida,

for Respondent