

Supreme Court of Florida

THURSDAY, SEPTEMBER 15, 2011

CASE NOS.: SC09-2390

Lower Tribunal No.: 3D08-188, 06-22584

LEONARDO MARRERO

vs. STATE OF FLORIDA

Petitioner

Respondent

The Respondent's Motion for Clarification is granted, and the opinion dated May 5, 2011, is withdrawn and the revised opinion dated September 15, 2011, is substituted in its place.

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

A True Copy

Test:



Thomas D. Hall
Clerk, Supreme Court



jn

Served:

ROBERT KALTER
LUNAR CLAIRE ALVEY
RICHARD L. POLIN
FORREST LEE ANDREWS, JR.
HON. HARVEY RUVIN, CLERK
HON. MARY CAY BLANKS, CLERK
HON. DIANE VALENTINA WARD, JUDGE