

# Supreme Court of Florida

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No. SC16-359

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**ROBERT N. GRESHAM,**  
Petitioner,

vs.

**STATE OF FLORIDA,**  
Respondent.

[June 1, 2017]

PER CURIAM.

We initially accepted jurisdiction to review the decision of the First District Court of Appeal in Gresham v. State, 181 So. 3d 1207 (Fla. 1st DCA 2015), based on express and direct conflict. See art. V, § 3(b)(3), Fla. Const. Upon further consideration, we conclude that jurisdiction was improvidently granted.

Accordingly, we exercise our discretion and discharge jurisdiction.

It is so ordered.

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

NO MOTION FOR REHEARING WILL BE ALLOWED.

Application for Review of the Decision of the District Court of Appeal – Direct  
Conflict of Decisions

First District - Case No. 1D14-5913

(Levy County)

Thomas A. Burns of Burns, P.A., Tampa, Florida,

for Petitioner

Pamela Jo Bondi, Attorney General, Trisha Meggs Pate, Bureau Chief, and  
Michael Schaub, Assistant Attorney General, Tallahassee, Florida,

for Respondent