

Third District Court of Appeal

State of Florida, January Term, A.D. 2009

Opinion filed July 8, 2009.

Not final until disposition of timely filed motion for rehearing.

No. 3D09-1812

Lower Tribunal No. 06-158; 06-15926A

The State of Florida,
Petitioner,

vs.

Jamal Head,
Respondent.

A Writ of Certiorari to the Circuit Court for Miami-Dade County, David C. Miller, Judge.

Bill McCollum, Attorney General, and Nikole Hiciano, for petitioner.

Jay Levine, for respondent.

Before WELLS, SUAREZ, and CORTIÑAS, JJ.

PER CURIAM.

We grant the petition for certiorari as the trial court clearly departed from the essential requirements of law. Polygraph evidence is inadmissible here since the State objects to the admission of such evidence. See Delap v. State, 440 So. 2d 1242 (Fla. 1983).

Petition granted and order quashed.

This opinion shall take effect immediately, notwithstanding the filing of any motions for rehearing.