

Supreme Court of Florida

FRIDAY, MARCH 14, 2014

CASE NO.: SC13-444

Lower Tribunal No(s): 53-2001CF-
003262-A0X

NELSON SERRANO

vs. STATE OF FLORIDA

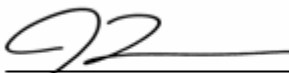
Appellant(s)

Appellee(s)

Nelson Serrano, a prisoner under sentence of death, appeals the circuit Court's partial denial of his motion for postconviction DNA testing and Comparisons under Florida Rule of Criminal Procedure 3.853. We have Jurisdiction. See art. V, § (3)(b)(1), Fla. Const. Due to the unique circumstances of this case, we reverse the circuit court and remand for further testing and comparisons of the two cigarette butts that were discovered outside the crime scene.

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

A True Copy
Test:



John A. Tomasino
Clerk, Supreme Court



tw
Served:

ROY BLACK
MARCIA J. SILVERS
STEPHEN D. AKE
JOHN AGUERO
HON. RICHARD M. WEISS, CLERK
HON. DONALD G. JACOBSEN, JUDGE