

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

TYREE JABARI SPRATT,

Appellant,

v.

Case No. 5D14-1245

STATE OF FLORIDA,

Appellee.

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Opinion filed November 21, 2014

Appeal from the Circuit  
Court for Orange County,  
Christi L. Underwood, Judge.

James S. Purdy, Public Defender, and  
Edward J. Weiss, Assistant Public  
Defender, Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General,  
Tallahassee, and Carmen F. Corrente,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

Tyree Jabari Spratt appeals his judgment and sentences, asserting that his convictions for aggravated assault with a firearm and aggravated battery with a firearm violate his rights against double jeopardy, in light of his conviction for attempted burglary of a dwelling with an assault or battery and with a firearm, which arose out of the same

criminal episode. The State properly concedes error. Accordingly, we reverse and remand for the trial court to vacate Spratt's convictions for aggravated battery and aggravated assault.

REVERSED and REMANDED.

PALMER, LAWSON and EVANDER, JJ. concur.