

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

RICHARD R. KANAGIE,

Appellant,

v.

Case No. 5D14-940

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed September 18, 2015

Appeal from the Circuit Court
for Brevard County,
Charles J. Roberts, Judge.

James S. Purdy, Public Defender, and
Robert E. Wildridge, 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.

Richard R. Kanagie appeals his judgment and sentence for two counts of improper exhibition of a weapon and one count of resisting arrest without violence. As the State properly concedes, double jeopardy precludes two convictions for a single act of improper exhibition. See *Vance v. State*, 472 So. 2d 734 (Fla. 1985); *Solomon v. State*, 442 So.

2d 1030 (Fla. 1st DCA 1983). As such, we remand with directions that the trial court vacate one of these convictions. As no other issue merits relief or discussion, we affirm in all other respects.

AFFIRMED IN PART, REVERSED IN PART AND REMANDED WITH
DIRECTIONS

LAWSON, C.J., EVANDER and BERGER, JJ., concur.