

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

DUDLEY WHITFIELD, JR.,

Appellant,

v.

Case No. 5D15-214

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed December 4, 2015

Appeal from the Circuit Court
for Orange County,
Wayne C. Wooten, Judge.

James S. Purdy, Public Defender, and
John M. Selden, Assistant Public Defender,
Daytona Beach, for Appellant.

Dudley Whitfield, Jr., Wewahitchka, pro se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Lori N. Hagan, Assistant
Attorney General, Daytona Beach, for
Appellee.

PER CURIAM.

Because the trial court lacked jurisdiction when it entered its corrected disposition and sentencing orders while Whitfield's direct appeal was pending, we are compelled to reverse. *See Padilla-Padial v. State*, 152 So. 3d 51, 52 (Fla. 5th DCA 2014); *see also*

Mann-Stack v. Homeside Lending, Inc., 982 So. 2d 72, 73-74 (Fla. 2d DCA 2008) (holding that, once notice of appeal is filed, lower court is divested of jurisdiction to proceed with matters related to appealed order). The trial court is not precluded from reentering the corrected disposition and sentencing orders on remand.

REVERSED and REMANDED.

SAWAYA, ORFINGER and EVANDER, JJ., concur.