

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

JULY TERM 2006

JEFFREY BRUCE HARTEL,

Appellant,

v.

Case No. 5D06-2233

STATE OF FLORIDA,

Appellee.

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Opinion filed October 13, 2006

3.800 Appeal from the Circuit Court  
for Orange County,  
John M. Kest, Judge.

Jeffrey Bruce Hartel, Blountstown, pro se.

Charles J. Crist, Jr., Attorney General,  
Tallahassee, and Carlos A. Ivanor, Jr.,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

Appellant challenges the lower court's order that denied his motion to correct sentences imposed in two cases. We affirm except as to the sentences imposed on counts two and three in lower court case number 1993-CF-10677. Because the sentences on those two counts exceeded the statutory maximums for second degree felonies, which felonies occurred in 1991 and 1992, the sentences are illegal under the then-applicable sentencing scheme. *Stewart v. State*, 755 So. 2d 736 (Fla. 4th DCA

2000). Upon remand, the trial court shall resentence Appellant to the statutory maximum of fifteen years on each count.

AFFIRMED IN PART; REVERSED IN PART AND REMANDED.

SAWAYA, TORPY and EVANDER, JJ., concur.