

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

LEON BRIGHT,

Appellant,

v.

STATE OF FLORIDA,

Appellee.
_____ /

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

CASE NO. 1D05-5611

Opinion filed September 5, 2006.

An appeal from the Circuit Court for Duval County.
Peter L. Dearing, Judge.

Nancy A. Daniels, Public Defender, and M.J. Lord, Assistant Public Defender,
Tallahassee, for Appellant.

Charlie Crist, Attorney General, and Daniel A. David, Assistant Attorney General,
Tallahassee, for Appellee.

PER CURIAM.

We reverse appellant's sentence, because it exceeds the five-year statutory
maximum for a third-degree felony, and remand for resentencing. See Ashley v.

State, 850 So. 2d 1265 (Fla. 2003); White v. State, 892 So. 2d 541 (Fla. 1st DCA 2005).

REVERSE and REMAND for further consistent proceedings.

ERVIN, WEBSTER, and HAWKES, JJ., CONCUR.