

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

ALEXANDER LAMAR
PRINCE,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D10-5058

Opinion filed February 17, 2012.

An appeal from the Circuit Court for Duval County.
L. P. Haddock, Judge.

Nancy A. Daniels, Public Defender, and Glen P. Gifford, Assistant Public
Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, and Anne C. Conley, Assistant Attorney
General, Tallahassee, for Appellee.

WOLF, J.

Appellant seeks review of his convictions for failure to report a change of residence as required by section 943.0435, Florida Statutes (2010), alleging the trial court erred in denying his motion for judgment of acquittal. We agree and reverse because the only evidence of guilt was prior inconsistent statements given

by appellant's fiancé. Prior inconsistent statements may not provide the sole evidence of guilt. See Aime v. State, 4 So. 3d 57, 60 (Fla. 4th DCA 2009) (citations omitted) ("While the law allows the admission of some prior inconsistent statements as substantive evidence, those statements cannot be the sole evidence of guilt and must comport with section 90.801(2)(a), Florida Statutes (2007)."). As such, the trial court erred in denying the motion for judgment of acquittal, and we reverse for vacation of appellant's convictions.

REVERSED.

PADOVANO and MARSTILLER, JJ., CONCUR.