

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2005

CARWIN PETTIS,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D04-4099

[December 21, 2005]

PER CURIAM.

We reverse the judgment and sentence on the authority of *Roberts v. State*, 874 So. 2d 1225 (Fla. 4th DCA 2004), and remand for a new trial. All other issues are moot.

STONE, KLEIN and SHAHOOD, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Paul Backman, Judge; L.T. Case No. 02-13691CF10A.

Carey Haughwout, Public Defender, and Anthony Calvello, Assistant Public Defender, West Palm Beach, for appellant.

Charles J. Crist, Jr., Attorney General, Tallahassee, and Myra J. Fried, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.