

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2009

THANE THOMPSON,
Appellants,

v.

STATE OF FLORIDA,
Appellees.

No. 4D08-2601

[January 6, 2010]

PER CURIAM.

Appellant, Thane Thompson, appeals his convictions and sentence for home invasion robbery (count I) and grand theft (count II). Without discussion, we affirm Thompson's convictions. However, it appears that Thompson's sentence for home invasion robbery was improperly calculated on the Criminal Punishment Code scoresheet as a level 10 offense—not the appropriate level 8 offense. Although not preserved for direct appeal, Thompson is free to raise this issue by way of a motion in the trial court pursuant to Florida Rule of Criminal Procedure 3.800(a).

Affirmed.

HAZOURI, DAMOORGIAN and CIKLIN, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Peter M. Weinstein, Judge; L.T. Case No. 07-009842 CF10A.

Carey Haughwout, Public Defender, and David John McPherrin, Assistant Public Defender, West Palm Beach, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Mitchell A. Egber, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.