

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2011

ROBIN EUSTACHE,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D11-3636

[November 23, 2011]

PER CURIAM.

We affirm the trial court's denial of appellant's Rule 3.800(a) motion to correct illegal sentence. Pursuant to section 958.14, Florida Statutes, following appellant's substantive violation of youthful offender probation, which he admitted, the court sentenced him to fifteen years in prison for robbery with a firearm. The sentence is within the statutory maximum for this offense, authorized by the youthful offender statute, and not illegal. *See id.* The court did not revoke appellant's youthful offender status,¹ so his reliance on *Blacker v. State*, 49 So. 3d 785 (Fla. 4th DCA 2010), is misplaced.

DAMOORGIAN, GERBER and CONNER, JJ., concur.

* * *

Appeal of order denying rule 3.800 motion from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Stephen A. Rapp, Judge; L.T. Case No. 2005CF009576BXX.

Robin Eustache, Okeechobee, pro se.

No response required for appellee.

¹ "A defendant's status as a youthful offender matters in part because it affects the defendant's classification within the prison system and the programs and facilities to which the defendant can be assigned." *Blacker*, 49 So. 3d at 787 n.2.

Not final until disposition of timely filed motion for rehearing.