

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2013

SYLVERA MATHURIN,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

Nos. 4D13-411, 4D13-413, and 4D13-414

[December 11, 2013]

PER CURIAM.

Appellant appeals the revocation of probation and consequent sentence. The State concedes “the trial court mistakenly failed to resentence Appellant as a youthful offender, even though Appellant had initially been sentenced as a youthful offender on all three of his cases.” As noted by the State, it is well settled in this court that “[o]nce a circuit court has imposed a youthful offender sentence, it must continue that status upon resentencing after a violation of probation or community control.” *Blacker v. State*, 49 So. 3d 785, 788 (Fla. 4th DCA 2010); *see also St. Cyr v. State*, 106 So. 3d 487, 489 (Fla. 4th DCA 2013); *Knite v. State*, 102 So. 3d 691, 695 (Fla. 4th DCA 2012); *Rogers v. State*, 972 So. 2d 1017, 1019 (Fla. 4th DCA 2008).

Accordingly, we remand for the trial court to correct the sentencing error by imposing a youthful offender sentence.

TAYLOR, MAY and FORST, JJ., concur.

* * *

Consolidated appeals from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Matthew I. Destry, Judge; L.T. Case Nos. 08023459CF10A, 08020167CF10A, and 08023460CF10A.

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

Pamela Jo Bondi, Attorney General, Tallahassee, and Cynthia L. Comras, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.