



State concedes that reversal is mandated based upon fundamental error in the jury instruction on self-defense.

In giving the self-defense jury instruction at Newcomb's trial, the trial court included an instruction on the forcible felony exception to self-defense. This court has held that when a defendant commits a single act and claims self-defense, as is the case here, the giving of this instruction constitutes fundamental error since it essentially negates the defense. See Velazquez v. State, 884 So. 2d 377 (Fla. 2d DCA 2004); Bates v. State, 883 So. 2d 907 (Fla. 2d DCA 2004); Zuniga v. State, 869 So. 2d 1239 (Fla. 2d DCA 2004). Accordingly, we reverse and remand for a new trial.

Reversed and remanded.

WHATLEY and NORTHCUTT, JJ., Concur.