

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JARROD RILEY SCHAEFFER,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
_____)

Case Nos. 2D07-516
2D07-2126

CONSOLIDATED

Opinion filed May 9, 2008.

Appeal from the Circuit Court for Pasco
County; Thane Covert, Judge.

Frank D.L. Winstead of Winstead Law
Offices, Land O' Lakes, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Ronald Napolitano,
Assistant Attorney General, Tampa, for
Appellee.

STRINGER, Judge.

Jarrold Schaeffer seeks review, in this consolidated appeal, of the order of
restitution and amended order of restitution rendered after Schaeffer entered a
negotiated no contest plea to three counts of first-degree misdemeanor battery. We
affirm without comment as to the original order of restitution. As to the amended order,

the State correctly concedes it was error for the trial court to enter the amended order during the pendency of the appeal of the original order. Accordingly, we remand with directions to the trial court to vacate the amended order of restitution as it was entered without jurisdiction.

Affirmed and remanded.

FULMER and VILLANTI, JJ., Concur.