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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

ANTHONY JASON LOPEZ,	
Appellant,)	
v.)	Case No. 2D09-1013
STATE OF FLORIDA,	
Appellee.))))

Opinion filed December 14, 2011.

Appeal from the Circuit Court for Polk County; Mark F. Carpanini, Judge.

James Marion Moorman, Public Defender, and Matthew D. Bernstein, Assistant Public Defender, Bartow, for Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Sara Macks, Assistant Attorney General, Tampa, for Appellee.

PER CURIAM.

Anthony Jason Lopez appeals his convictions and sentences for three counts of attempted second-degree murder and one count of aggravated assault with a firearm. We affirm the conviction for aggravated assault with a firearm without further comment. However, for the reasons expressed in Houston v. State, 36 Fla. L. Weekly

D1772 (Fla. 2d DCA Aug. 12, 2011), we reverse the three convictions for attempted second-degree murder and remand for a new trial. See also Banek v. State, 2011 WL 5169409 (Fla. 2d DCA Nov. 2, 2011); Brooks v. State, 36 Fla. L. Weekly D2289 (Fla. 2d DCA Oct. 19, 2011); Gonzalez v. State, 40 So. 3d 60 (Fla. 2d DCA 2010). As we did in Houston and Brooks, we certify conflict with the Fourth District's opinion in Williams v. State, 40 So. 3d 72 (Fla. 4th DCA 2010).

Affirmed in part, reversed in part, and remanded.

CASANUEVA, WALLACE, and KHOUZAM, JJ., Concur.