

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

DOMINIC MESSINA,

Appellant,

v.

Case No. 5D14-3660

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed March 27, 2015

3.800 Appeal from the Circuit Court
for Lake County,
Lawrence J. Semento, Judge.

Dominic Messina, Milton, pro se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Rebecca Rock
McGuigan, Assistant Attorney General,
Daytona Beach, for Appellee.

PER CURIAM.

Dominic Messina appeals the order summarily denying his Florida Rule of Criminal Procedure 3.800(a) Motion to Correct Illegal Sentence. As the State concedes, the trial court was without jurisdiction to enter an order on the restitution amount while Messina's direct appeal was pending. Accordingly, we reverse the order under review and remand this case to the trial court to conduct a restitution hearing.

REVERSED and REMANDED.

TORPY, C.J., SAWAYA and LAMBERT, JJ., concur.