

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

STATE OF FLORIDA,

Appellant,

v.

Case No. 5D19-3677

JORONJAYE LEPRINO TEAGUE,

Appellee.

\_\_\_\_\_ /

Opinion filed August 28, 2020

Appeal from the Circuit Court  
for Orange County,  
Gail A. Adams, Judge.

Ashley Moody, Attorney General,  
Tallahassee, and Kaylee D. Tatman,  
Assistant Attorney General, Daytona  
Beach, for Appellant.

James S. Purdy, Public Defender, and  
Victoria Rose Cordero, Assistant Public  
Defender, Daytona Beach, for Appellee.

ON CONCESSION OF ERROR

PER CURIAM.

The State of Florida appeals the trial court's order granting Joronjaye Leprino Teague's motion for new trial. This Court has jurisdiction pursuant to Florida Rule of Appellate Procedure 9.140(c)(1)(C). Both parties agree that the trial court did not have jurisdiction to hear and rule on the motion for new trial, and we treat Teague's motion to

dismiss this appeal as a concession of error. Accordingly, we reverse the order granting new trial and remand for resentencing. At resentencing, the trial court should impose an adjudication of guilt on the fleeing and eluding charge and a withhold of adjudication on the drug possession charge. See State v. Teague, 275 So. 3d 828, 829 (Fla. 5th DCA 2019).

REVERSED and REMANDED.

HARRIS, GROSSHANS, and TRAVER, JJ., concur.