

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

JULY TERM 2002

RICHARD JONES,

Appellant,

v.

Case No. 5D01-2775

STATE OF FLORIDA,

Appellee.

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Opinion filed September 27, 2002

Appeal from the Circuit Court
for Orange County,
Frederick J. Lauten, Judge.

James B. Gibson, Public Defender, and Susan A.
Fagan, Assistant Public Defender, Daytona Beach, for
Appellant.

Robert A. Butterworth, Attorney General, Tallahassee,
and David H. Foxman, Assistant Attorney General,
Daytona Beach, for Appellee.

COBB, J.

The issue on this appeal is whether the lower court erred in two cases in sentencing Jones to, three year minimum mandatory sentences in accordance with section 784.07(2)(c), Florida Statutes (1999) for the offenses of aggravated assault upon a law enforcement officer.

Jones contends that the above sentences pursuant to section 784.07(2)(c), as amended by Chapter 99-188, Laws of Florida, should be reversed since Chapter 99-188 has been found to violate the single subject rule. Taylor v. State, 818 So. 2d 544 (Fla. 2d DCA),

rev. dismissed, 821 So. 2d 302 (Fla. 2002).

After careful consideration, and noting the difference between the 1997 and 1999 versions of section 784.07 (2)(c), we agree with the logic found in Taylor that Chapter 99-188 is unconstitutional because it violates the single subject rule. Accordingly, we reverse and remand to the lower court for re-sentencing.

REVERSED and REMANDED.

SHARP, W. and PLEUS, JJ., concur.