

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

JANUARY TERM 2004

ANTHONY LONG,

Appellant,

v.

CASE NO. 5D03-2833

STATE OF FLORIDA,

Appellee.

Opinion filed July 2, 2004

Appeal from the Circuit Court
for Marion County,
Victor J. Musleh, Judge.

Anthony Long, Monticello, Pro Se.

Charles J. Crist, Jr., Attorney General, Tallahassee,
and Angela D. McCravy, Assistant Attorney General,
Daytona Beach, for Appellee.

PER CURIAM.

Anthony Long appeals an order of restitution rendered by the trial court. It appears from the record that Mr. Long was not represented by counsel at the hearing. Restitution is part of sentencing. A criminal defendant is entitled have counsel representing him or her at sentencing, including that part of sentencing during which restitution is imposed. See *Moore v. State*, 868 So. 2d 683 (Fla. 5th DCA 2004); *Moment v. State*, 645 So. 2d 502 (Fla. 4th DCA 1994). Accordingly, the order must be reversed.

Mr. Long also argues that the trial court lacked jurisdiction to impose the requirement of restitution against him. Given the procedural history of this case, however, we conclude that

the trial court had, and upon remand will still have the jurisdiction to impose restitution.

REVERSED AND REMANDED.

SHARP, W., PALMER and MONACO, JJ., concur.