

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

JULY TERM 2004

DEONTAE LEE BARBER,

Appellant,

v.

CASE NO. 5D03-3521

STATE OF FLORIDA,

Appellee.

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Opinion filed August 13, 2004

Appeal from the Circuit Court
for Brevard County,
J. Preston Silvernail, Judge.

James B. Gibson, Public Defender, and
Anne Moorman Reeves, Assistant Public
Defender, Daytona Beach, for Appellant.

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

PER CURIAM.

Pursuant to the Appellee's agreement to summary reversal as to the trial court's denial of the Appellant's rule 3.800(b) Motion to Correct Illegal Sentence, the sentence, rendered May 20, 2003, is reversed and this cause is remanded for further proceedings.

REVERSED and REMANDED.

SAWAYA, C.J., SHARP, W. and GRIFFIN, JJ., concur.