

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

JULY TERM 2007

EDWARD L. MORGAN,

Appellant,

v.

Case No. 5D07-493

STATE OF FLORIDA,

Appellee.

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Opinion filed August 31, 2007

Appeal from the Circuit Court  
for Hernando County,  
John W. Springstead, Judge.

Edward L. Morgan, Bushnell, pro se.

Bill McCollum, Attorney General,  
Tallahassee, and Ann M. Phillips,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

Morgan appeals from an order of restitution rendered by the trial court. We reverse. The record reflects that

The trial court erroneously denied Morgan's request for appointed counsel. A criminal defendant is entitled to have counsel at sentencing proceedings. *Carter v. State*, 408 So. 2d 766 (Fla. 5th DCA 1982). Sentencing proceedings include hearings in which the restitution amount is to be determined. See *Long v. State*, 876 So. 2d 718

(Fla. 5th DCA 2004); *Moore v. State*, 868 So. 2d 683 (Fla. 5th DCA 2004). The State is commended for its proper concession of error.

REVERSED and REMANDED.

GRIFFIN, ORFINGER and EVANDER, JJ., concur.