

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

JULY TERM 2010

GENE EDWARD LEPHEW,

Appellant,

v.

Case No. 5D09-4469

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed November 5, 2010

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

James S. Purdy, Public Defender, and
Allison A. Havens, Assistant Public
Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Allison Leigh Morris,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

Based upon the State's confession of error, the case is remanded for the trial court to conduct a restitution hearing after notice to all parties. See Brinson v. State, 606 So. 2d 476 (Fla. 5th DCA 1992).

REMANDED.

GRIFFIN, COHEN and JACOBUS, JJ., concur.