

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

JULY TERM 2011

GARY LEE FORD,

Appellant,

v.

Case No. 5D10-3293

STATE OF FLORIDA,

Appellee.

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Opinion filed July 15, 2011

Appeal from the Circuit Court
for Volusia County,
James R. Clayton, Judge.

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

Pamela Jo Bondi, Attorney General,
Tallahassee, and Rebecca Rock McGuigan,
Assistant Attorney General, Daytona Beach,
for Appellee.

SAWAYA, J.

Gary Ford appeals the restitution order requiring him to pay \$5,500 in restitution to the victim. He alleges that he did not receive proper notice of the restitution hearing and, therefore, did not attend. The record supports Ford's claim that he did not receive proper notice. We note, parenthetically, that the State confesses error; it concedes that Ford was not properly notified of the hearing and that the order should be reversed.

Accordingly, the restitution order is reversed, and this case remanded for further proceedings.

REVERSED and REMANDED.

GRIFFIN and COHEN, JJ., concur.