

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

JANUARY TERM 2013

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

ZOLLIE LEE REDDICK, JR.,

Appellant,

v.

Case No. 5D11-1519

STATE OF FLORIDA,

Appellee.

\_\_\_\_\_ /

Decision filed May 3, 2013

Appeal from the Circuit Court  
for Orange County,  
John H. Adams, Sr., Judge.

James S. Purdy, Public Defender, and  
Ailene S. Rogers, Assistant Public  
Defender, Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General,  
Tallahassee, and Carmen F. Corrente,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

Following a jury trial, Zollie Reddick, Jr., was convicted of attempted second-degree murder and aggravated battery with a deadly weapon.

We are compelled to reverse the attempted second-degree murder conviction because the jury instruction on the lesser offense of attempted voluntary manslaughter was fundamentally erroneous. See *Williams v. State*, 38 Fla. L. Weekly S99 (Fla. Feb.

14, 2013); *see also Sims v. State*, 94 So. 3d 664 (Fla. 5th DCA 2012). We affirm Reddick's conviction for aggravated battery with a deadly weapon.

AFFIRMED, in part; REVERSED, in part; REMANDED.

LAWSON, EVANDER and COHEN, JJ., concur.