

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

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

CLARENCE LEONTE FRAZIER,

Appellant,

v.

Case No. 5D12-253

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed March 14, 2014

Appeal from the Circuit Court
for Orange County,
Bob Leblanc, Judge.

James S. Purdy, Public Defender, and
Noel A. Pelella, Assistant Public
Defender, Daytona Beach, for Appellant.

Clarence L. Frazier, Bushnell, pro se.

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

PER CURIAM.

We affirm Appellant's judgment and sentence for burglary of a dwelling, but reverse the judgment for grand theft because the evidence was insufficient to establish the value of the items at the time of the theft. *Smith v. State*, 955 So. 2d 1227 (Fla. 5th

DCA 2007). We, therefore, remand for entry of a judgment for petit theft pursuant to section 812.014(3)(a), Florida Statutes (2011).

AFFIRMED IN PART; REVERSED IN PART AND REMANDED.

TORPY, C.J., PALMER and ORFINGER, JJ., concur.