

IN THE DISTRICT COURT OF
APPEAL
FIRST DISTRICT, STATE OF
FLORIDA

HIRAM BEAMON,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D02-1792

Opinion filed August 14, 2003.

An appeal from Circuit Court for Gadsden County .
Terry P. Lewis, Judge.

Nancy A. Daniels, Public Defender, and Joel Arnold, Assistant Public Defender,
Tallahassee, for Appellant.

Charlie Crist, Attorney General, and Alan R. Dakan, Assistant Attorney General,
Tallahassee, for Appellee.

PER CURIAM.

The trial court in this criminal case imposed victim injury points for sexual
contact after the jury returned a verdict of guilty of attempted lewd or lascivious

battery. As the appellant argues and the state acknowledges, these victim injury points should not have been scored. See Grant v. State, 783 So. 2d 1120 (Fla. 1st DCA 2001). Accordingly, the appellant's sentence is vacated and this case is remanded for resentencing under a corrected scoresheet.

ERVIN, BARFIELD and ALLEN, JJ., CONCUR.