

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

JACOMIAH WALKER,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D03-3809

Opinion filed October 25, 2004.

An appeal from an order from the circuit court for Alachua County.
Joseph M. Williams, Judge.

Nancy A. Daniels, Public Defender, and Janice G. Scott, Assistant Public Defender,
Tallahassee, Attorneys for Appellant.

Charles J. Crist, Jr., Attorney General, and Daniel A. David, Assistant Attorney
General, Tallahassee, Attorneys for Appellee.

PER CURIAM.

Appellant appeals his conviction and sentence, alleging that the trial court
abused its discretion by refusing to allow a witness, who had been disclosed to the
State, to testify at trial. The State concedes error. Donaldson v. State, 656 So. 2d 580

(Fla. 1st DCA 1995). Thus, Appellant's conviction and sentence are reversed and the case is remanded for a new trial.

REVERSED and REMANDED.

BOOTH, BARFIELD and ALLEN, JJ., CONCUR.