

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

STATE OF FLORIDA,

Appellant,

v.

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

CASE NO. 1D06-1460

BRIAN KEITH ARNOLD,

Appellee.

Opinion filed February 14, 2007.

An appeal from the Circuit Court for Alachua County.

George H. Pierce, Judge.

Bill McCollum, Attorney General, and Daniel A. David, Assistant Attorney General,
Tallahassee, for Appellant.

Nancy A. Daniels, Public Defender, and David P. Gauldin, Assistant Public Defender,
Tallahassee, for Appellee.

PER CURIAM.

The State appeals the imposition of a downward departure sentence after appellee, Brian Keith Arnold, was convicted of carrying a concealed firearm and aggravated assault with a deadly weapon. Because the trial court did not provide any valid legal reason for departure that is supported by competent, substantial record

evidence, we REVERSE and REMAND for resentencing. See Demoss v. State, 843 So. 2d 309, 311 (Fla. 1st DCA 2003) (citing Banks v. State, 732 So. 2d 1065, 1067 (Fla. 1999)).

ALLEN, PADOVANO, and LEWIS, JJ., CONCUR.