

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

JANET JOYNER,

Appellant,

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

v.

CASE NO. 1D06-3161

STATE OF FLORIDA,

Appellee.

Opinion filed July 27, 2007.

An appeal from the Circuit Court for Suwannee County.
William R. Slaughter, Judge.

William J. Sheppard, D. Gray Thomas, and Matthew R. Kachergus of Sheppard,
White, Thomas & Kachergus, P.A., Jacksonville, for Appellant.

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

PER CURIAM.

Upon the state's proper concession of error, we reverse appellant's judgment
and sentence and remand for a new trial. See Smith v. State, 606 So. 2d 641 (Fla. 1st
DCA 1992).

WEBSTER, PADOVANO, and ROBERTS, JJ., CONCUR.