

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

STATE OF FLORIDA,

Appellant,

v.

KELVIN L. DUNN,

Appellee.

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

CASE NO. 1D07-0299

Opinion filed December 31, 2007.

An appeal from the Circuit Court for Leon County.  
Richard L. Hood, Judge.

Bill McCollum, Attorney General, and Thomas D. Winokur, Assistant Attorney  
General, Tallahassee, for Appellant.

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

PER CURIAM.

Because the trial court failed to make any written or oral findings to support the  
downward departure sentence, the sentence is REVERSED and the case is  
REMANDED to the trial court for resentencing. If the trial court wishes to depart  
downward from the lowest permissible sentence indicated on the Criminal Punishment

Code scoresheet, under section 921.00265(2), Florida Statutes, it must announce on the record a valid reason for so doing. State v. Carlson, 911 So. 2d 234 (Fla. 2d DCA 2005); State v. Marshall, 869 So. 2d 754 (Fla. 5th DCA 2004).

BARFIELD, WOLF, and HAWKES, JJ., CONCUR.