

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

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

ALI WASHINGTON,

Appellant,

v.

CASE NO. 1D09-0141

STATE OF FLORIDA,

Appellee.

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Opinion filed June 22, 2009.

An appeal from the Circuit Court for Duval County.  
L. P. Haddock, Judge.

Ali Washington, pro se, Appellant.

Bill McCollum, Attorney General, and Joshua R. Heller, Assistant Attorney  
General, Tallahassee, for Appellee.

PER CURIAM.

The appellant challenges an order by which the trial court denied his Florida  
Rule of Criminal Procedure 3.800(a) motion through which he alleged that his  
twenty-year sentence for attempted armed robbery is illegal because it exceeds the

statutory maximum. Attempted armed robbery is a second degree felony which carries a statutory maximum of fifteen years unless an enhancement statute applies. In denying the appellant's motion, the trial court indicated that the enhanced sentence is authorized because the appellant was sentenced as a habitual violent felony offender. But the trial court did not attach record excerpts demonstrating that the appellant was sentenced as a habitual violent felony offender. In the absence of such attachments, the order under review must be reversed. See Fla. R. App. P. 9.141(b)(2).

The order is therefore reversed, and this case is remanded to the trial court for further consideration of the appellant's motion.

HAWKES, C.J., ALLEN, and CLARK, JJ., CONCUR.