

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

CARL W. DAVIS,
Appellant,

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

v.

CASE NO. 1D11-1979

STATE OF FLORIDA,
Appellee.

Opinion filed September 7, 2012.

An appeal from the Circuit Court for Duval County.
Adrian G. Soud, Judge.

Nancy A. Daniels, Public Defender, and Carl S. McGinnes, Assistant Public
Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, and Therese A. Savona, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

Appellant was convicted for four counts of possession of a firearm by a
convicted felon. All counts arose out of a single event during which Appellant
possessed four different firearms. Appellant argues, and the State concedes, that
the convictions violate double jeopardy principles. *See Hill v. State*, 711 So. 2d

1221, 1224-25 (Fla. 1st DCA 1998) (holding that “the prohibition against double jeopardy precludes more than one conviction for the possession at the same time of multiple firearms by a convicted felon”); *see also Owens v. State*, 681 So. 2d 1194, 1194 (Fla. 2d DCA 1996) (reversing fifteen charges of possessing a firearm by a convicted felon as violating double jeopardy); *Plowman v. State*, 622 So. 2d 91, 92 (Fla. 2d DCA 1993) (reversing three counts of possession of a firearm by a convicted felon as violating double jeopardy).

Accordingly, we vacate Appellant’s convictions and sentences for three counts of possession of a firearm by a convicted felon, vacate the sentence for the one remaining count, and remand for resentencing on that count. *See Owens*, 681 So. 2d 1194.

THOMAS, WETHERELL, and MARSTILLER, JJ., CONCUR.