

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

BRUCE NIVEN BROCK,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D11-6756

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Opinion filed November 16, 2012.

An appeal from the Circuit Court for Duval County.  
Thomas Beverly, Judge.

Nancy A. Daniels, Public Defender, and Pamela D. Presnell, Assistant Public  
Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, and Donna A. Gerace, Assistant Attorney  
General, Tallahassee, for Appellee.

PER CURIAM.

Appellant, Bruce Niven Brock, challenges his conviction and sentence for  
possession of a firearm by a convicted felon. Appellant argues and, the State

concedes, that the trial court erred in admitting evidence of a firearm that was unrelated to the charged crime.

The trial court allowed the State to introduce two firearms that were located within Appellant's residence. However, the State only presented testimony that linked one of the firearms (State's Exhibit 11) to the charged crime. There was no testimony or other evidence to show that Appellant actually possessed the second firearm (State's Exhibit 12). Irrelevant collateral crimes evidence is presumed harmful because of the danger that a jury will interpret it as evidence of guilt. Agatheas v. State, 77 So. 3d 1232, 1240 (Fla. 2011). Because there is a reasonable possibility that the jury could have viewed the erroneously admitted evidence (State's Exhibit 12) as showing Appellant's bad character or propensity to possess firearms and a reasonable possibility that the evidence of the second firearm could have contributed to Appellant's conviction, we reverse Appellant's conviction and remand for a new trial.

REVERSED and REMANDED.

BENTON, C.J., DAVIS and ROBERTS, JJ., CONCUR.