

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

CALVIN BRIAN JOPPY,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D12-0161

Opinion filed April 24, 2013.

An appeal from the Circuit Court for Duval County.
Russell L. Healey, Judge.

Nancy A. Daniels, Public Defender, and M. Gene Stephens, Assistant Public
Defender, Tallahassee, for Appellant; Calvin Brian Joppy, pro se, Appellant.

Pamela Jo Bondi, Attorney General, and Jennifer J. Moore, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

Calvin B. Joppy appeals his sentence as a habitual violent felony offender.
Because the state did not present sufficient proof of a qualifying prior conviction or
release, we reverse the habitual violent felony offender sentence. On remand, the
state may again seek a habitual violent felony offender sentence as long as all the

requirements of section 775.084, Florida Statutes, are met. State v. Collins, 985 So. 2d 985, 994 (Fla. 2008).

Accordingly, we REVERSE and REMAND for proceedings consistent with this opinion.

ROBERTS, WETHERELL, and ROWE, JJ., CONCUR.