

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

BRADFORD KEITH GARY,
Appellant,

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

v.

CASE NO. 1D12-812

STATE OF FLORIDA,
Appellee.

Opinion filed May 6, 2013.

An appeal from the Circuit Court for Alachua County.
David A. Glant, Judge.

Nancy A. Daniels, Public Defender, and Joel Arnold, Assistant Public Defender,
Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, and Heather Flanagan Ross, Assistant
Attorney General, Tallahassee, for Appellee.

PER CURIAM.

Bradford Keith Gary appeals from a judgment and sentence entered after revocation of his probation. For one count, the court ordered Gary to serve a new term of probation. As the State properly concedes, the trial court erred in ordering Gary to provide a DNA sample as a condition of probation pursuant to section 948.014(1), Florida Statutes (2011), because he does not meet the requirements of

section 943.325(2)(g), Florida Statutes (2011). Accordingly, although we otherwise affirm, we reverse as to the erroneous condition of probation and remand with directions that the trial court strike that condition.

AFFIRMED in part; REVERSED in part; and REMANDED.

PADOVANO, ROWE, and RAY, JJ., CONCUR.