

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

ATTILA MAKRANCZY,

Appellant,

v.

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

CASE NO. 1D12-4410

STATE OF FLORIDA,

Appellee.

Opinion filed November 20, 2014.

An appeal from the Circuit Court for Duval County.

Tyrie W. Boyer, Judge.

D. Gray Thomas of Law Office of D. Gray Thomas, P.A., Jacksonville, for
Appellant.

Pamela Jo Bondi, Attorney General, and Angela R. Hensel, Assistant Attorney
General, Tallahassee, for Appellee.

WOLF, J.

Appellant challenges his convictions and sentences for aggravated battery and criminal mischief. He raises a number of issues, only one of which we need to address because it is dispositive. We determine the trial court reversibly erred in limiting cross-examination of the victim concerning his consultation with an

attorney in contemplation of a civil suit. See Wooten v. State, 464 So. 2d 640 (Fla. 3d DCA 1985) (finding that it is reversible error to prohibit cross-examination of an alleged victim in a criminal case on the subject of whether the victim had hired an attorney to file a law suit on his behalf against the defendant even when a civil action is merely contemplated). We also cannot say the error was harmless based on the facts of this case.

REVERSED and REMANDED for a new trial.

ROWE and OSTERHAUS, JJ., CONCUR.