

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

RILEY LEONARD GRIFFIS, JR.,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D14-2541

Opinion filed May 19, 2015.

An appeal from the Circuit Court for Bradford County.
Robert Groeb, Judge.

Nancy A. Daniels, Public Defender, and Danielle Jordan, Assistant Public
Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, and Samuel B. Steinberg, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

Riley Griffis, Jr., appeals convictions and sentences on two counts of
aggravated battery (one for aggravated battery with a deadly weapon and one for

aggravated battery causing great bodily harm) stemming from a single criminal episode. See §§ 784.045(1)(a)2.; 784.045(1)(a)1., Fla. Stat. (2012). The state properly concedes that one of the two convictions must be vacated, as the dual convictions constitute a violation of his constitutional protection against double jeopardy. See Icon v. State, 44 So. 3d 660, 660 (Fla. 5th DCA 2010); Cook v. State, 813 So. 2d 1010, 1012 (Fla. 1st DCA 2002); Maxwell v. State, 803 So. 2d 815, 820 (Fla. 5th DCA 2001). We reverse and remand to the trial court with directions that the court vacate the conviction and sentence for one of the two counts.

Affirmed in part, reversed in part, and remanded.

BENTON, CLARK, and MAKAR, JJ., CONCUR.