

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

DALVIN LORENZO DENSON,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D12-5794

Opinion filed July 14, 2017.

An appeal from the Circuit Court for Duval County.
Roberto Arias, Judge.

Andy Thomas, Public Defender, Kathleen Stover, Assistant Public Defender, for
Appellant.

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

ON REMAND FROM THE FLORIDA SUPREME COURT

PER CURIAM.

Dalvin Denson was convicted of two counts of attempted first-degree felony murder, one count of attempted armed robbery, and one count of carrying a concealed firearm. At the time of sentencing, the trial court followed then-

controlling precedent from this court and imposed consecutive mandatory-minimum terms for the attempted murder and robbery convictions. On appeal, we affirmed the consecutive mandatory-minimum terms, relying in part on our decision in *Walton v. State*, 106 So. 3d 522 (Fla. 1st DCA 2013) and the Fourth District's decision in *Williams v. State*, 125 So. 3d 879 (Fla. 4th DCA 2013). The Florida Supreme Court subsequently quashed our decision and remanded for reconsideration in light of its decisions in *Walton v. State*, 208 So. 3d 60 (Fla. 2016) and *Williams v. State*, 186 So. 3d 989 (Fla. 2016). On remand, we now reverse Denson's consecutive sentences and remand so the trial court can exercise its discretion in determining whether the mandatory-minimum terms should be consecutive or concurrent. *See Williams*, 186 So. 3d at 994; *Walton*, 208 So. 3d at 64.

REVERSED and REMANDED for resentencing.

OSTERHAUS, WINOKUR, and WINSOR, JJ., CONCUR.