

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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No. 1D18-2018

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PAIGE VOWELL,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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On appeal from the Circuit Court for Leon County.  
Martin A. Fitzpatrick, Judge.

November 8, 2019

RAY, C.J.

Paige Vowell appeals her judgments and sentences for first degree felony murder, two counts of kidnapping, and accessory after the fact to first degree murder. We affirm her judgments and sentences for murder and kidnapping without further discussion. But as properly conceded by the State, Vowell's conviction and sentence for accessory after the fact to murder must be vacated because a person convicted as a principal to a crime cannot also be convicted as an accessory after the fact to the same crime. *See Donaldson v. State*, 722 So. 2d 177, 184 (Fla. 1998) ("We have explicitly held that by legal definition, a person convicted as a principal to a crime cannot also be convicted as an accessory after the fact to the same crime, since these two offenses are mutually exclusive.") (citing *Staten v. State*, 519 So. 2d 622, 625 (Fla. 1988)).

We therefore affirm in part, and reverse and remand in part with directions to vacate Vowell's judgment and sentence for accessory after the fact.

BILBREY and JAY, JJ., concur.

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*Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.*

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Valarie Linnen, Jacksonville, for Appellant.

Ashley Moody, Attorney General, and Benjamin L. Hoffman, Assistant Attorney General, Tallahassee, for Appellee.