

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D19-3162

MICHAEL A. LOURO,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Leon County.
Robert E. Long, Judge.

November 20, 2020

PER CURIAM.

The appellant, Michael Louro, appeals the trial court's denial of his motion for judgment of acquittal on the charge of armed trespass in a structure or conveyance, which the State concedes was in error. We therefore reverse the appellant's conviction for armed trespass in a structure or conveyance and remand for entry of a judgment for simple trespassing in a structure for which appellant is entitled to de novo resentencing based on a corrected scoresheet. *See Oliver v. State*, 75 So. 3d 349, 351 (Fla. 1st DCA 2011). We affirm the appellant's remaining issues without further comment.

AFFIRMED in part, REVERSED in part, and REMANDED.

LEWIS, MAKAR, and NORDBY, JJ., concur.

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

Andy Thomas, Public Defender, and John D. Stevenson, Assistant Public Defender, Tallahassee, for Appellant.

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