

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

CURTIS HARVEY,

Appellant,

v.

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

CASE NO. 1D99-4629

STATE OF FLORIDA,

Appellee.

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Opinion filed July 30, 2003.

An appeal from the Circuit Court for Duval County.

Lance M. Day, Judge.

Nancy A. Daniels, Public Defender; Carl S. McGinnes, Assistant Public Defender,
Tallahassee, for Appellant.

Charlie Crist, Attorney General; James W. Rogers, Assistant Attorney General,
Tallahassee, for Appellee.

WOLF, C.J.

In light of the Supreme Court's decision and mandate in Harvey v. State, 28 Fla.
L. Weekly S470 (Fla. June 12, 2003), and the state's concession of error, we vacate
the sentencing in this case and order that the appellant be sentenced in accordance with
the dictates of Heggs v. State, 759 So. 2d 620 (Fla. 2000).

DAVIS and BROWNING, JJ., CONCUR.