

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2014

RENE RODRIGUEZ,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D09-556

[June 4, 2014]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Paul L. Backman, Judge; L.T. Case No. 07-7721CF10A.

Carey Haughwout, Public Defender, and Gary Lee Caldwell, Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Heidi Bettendorf, Assistant Attorney General, West Palm Beach, for appellee.

ON REMAND FROM THE SUPREME COURT

PER CURIAM.

The Supreme Court quashed the decision in this case and remanded for further proceedings consistent with its decision in *Williams v. State*, 123 So. 3d 23 (Fla. 2013). Appellant was convicted of attempted second degree murder and other crimes. As in *Williams*, the circuit court committed fundamental error by giving a faulty instruction on attempted manslaughter. Appellant's attempted second degree murder conviction was one step removed from attempted manslaughter. *Id.* at 24. Based on *Williams*, we reverse appellant's convictions and remand for a new trial.

GROSS, CIKLIN and FORST, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.