

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

DAVID TRAINER,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D15-2063

[October 26, 2016]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Kathleen McHugh, Judge; L.T. Case No. 15004653 CF10A.

Carey Haughwout, Public Defender, and Peggy Natale, Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Rachael Kaiman, Assistant Attorney General, West Palm Beach, for appellee.

PER CURIAM.

Appellant was charged and convicted of felony driving with a suspended or revoked license in violation of section 322.34(2)(c), Florida Statutes (2014) (Count I), and leaving the scene of a crash involving damage to an attended vehicle in violation of section 316.061(1), Florida Statutes (2014) (Count II). The State concedes error in his conviction for leaving the scene of a crash on Count II, as it failed to prove that the vehicle damaged in the crash was attended at the time of the accident. We therefore reverse and direct a judgment of acquittal on that count. We affirm as to all other issues in the case.

Affirmed in part; reversed in part, with directions.

WARNER, GERBER and CONNER, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.