

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING  
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

JOSE ANTONIO TORRES,	)	
	)	
Appellant,	)	
	)	
v.	)	Case No. 2D13-3488
	)	
STATE OF FLORIDA,	)	
	)	
Appellee.	)	
_____	)	

Opinion filed December 7, 2016.

Appeal from the Circuit Court for  
Highlands County; Angela J. Cowden,  
Judge.

Howard L. Dimmig, II, Public Defender,  
and Alisa Smith, Assistant Public  
Defender, Bartow, for Appellant.

Jose Antonio Torres, pro se.

Pamela Jo Bondi, Attorney General,  
Tallahassee, for Appellee.

PER CURIAM.

In this appeal pursuant to Anders v. California, 386 U.S. 738 (1967), we ordered supplemental briefing to address the legality of the sentence imposed upon the revocation of Jose Torres's probation. We also stayed proceedings in this matter pending the Florida Supreme Court's review of Austin v. State, 158 So. 3d 648 (Fla. 1st

DCA 2014), review dismissed, 181 So. 3d 1187 (Fla. 2016). We now lift the stay, affirm the revocation of probation, and affirm the sentence without prejudice to Torres's right to challenge the legality of the sentence by motion filed pursuant to Florida Rule of Criminal Procedure 3.800(a).

Affirmed.

NORTHCUTT, SILBERMAN, and MORRIS, JJ., Concur.