

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

MICHAEL D. SWEEZEY,)

Appellant,)

v.)

STATE OF FLORIDA,)

Appellee.)

CASE NO. 2D01-2650

Opinion filed November 8, 2002.

Appeal from the Circuit Court for Polk County;
Donald G. Jacobsen, Judge.

James Marion Moorman, Public Defender,
and Judith Ellis, Special Assistant Public
Defender, Bartow, for Appellant.

Richard E. Doran, Attorney General,
Tallahassee, and Susan M. Shanahan,
Assistant Attorney General, Tampa,
for Appellee.

BLUE, Chief Judge.

Michael D. Swezey appeals his convictions and sentences for conspiracy
to traffic in methamphetamine, possession with intent to sell, and possession of

paraphernalia. We affirm the convictions without discussion but reverse the minimum mandatory sentence for conspiracy to traffic.

Sweezey argues, and the State properly concedes, that the seven-year, minimum mandatory sentence for conspiracy to traffic in methamphetamine was authorized by chapter 99-188, Laws of Florida, which this court found unconstitutional as a violation of the single subject rule. See Taylor v. State, 818 So. 2d 544 (Fla. 2d DCA), review dismissed, 821 So. 2d 302 (Fla. 2002). Accordingly, based on Taylor, we reverse the sentence and remand for resentencing in accordance with the valid laws in effect on the date of Sweezey's offense.

Affirmed in part; reversed in part; remanded for resentencing.

SALCINES and DAVIS, JJ., Concur.