

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

BRIAN KEITH COFFELT,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

Case No. 2D05-1842

Opinion filed June 29, 2005.

Appeal pursuant to Fla. R. App. P.
9.141(b)(2) from the Circuit Court for
Pasco County; Lynn Tepper, Judge.

PER CURIAM.

Brian Coffelt appeals the circuit court's denial of his pro se motion to correct sentencing error filed pursuant to Florida Rule of Criminal Procedure 3.800(b)(2). We reverse and remand for the circuit court, under the authority of Lee v. State, 779 So. 2d 341 (Fla. 2d DCA 2000), to strike the pro se motion as unauthorized since Coffelt at the time he filed the rule 3.800(b)(2) motion was and currently still is

represented by appointed counsel in the pending direct appeal of the sentence being challenged by the motion.

Reversed and remanded.

WHATLEY, NORTHCUTT, and CASANUEVA, JJ., Concur.