

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

RAUL LIRANZO-CRUZATA, )  
 )  
 Appellant, )  
 )  
 v. )  
 )  
 STATE OF FLORIDA, )  
 )  
 Appellee. )  
 \_\_\_\_\_ )

Case No. 2D08-1026

Opinion filed April 15, 2009.

Appeal from the Circuit Court for Polk  
County; Neil A. Roddenbery, Judge.

James Marion Moorman, Public Defender,  
and Sharon Morgan Vollrath, Special  
Assistant Public Defender, Bartow, for  
Appellant.

Bill McCollum, Attorney General,  
Tallahassee, and Helene S. Parnes,  
Assistant Attorney General, Tampa, for  
Appellee.

PER CURIAM.

Reversed and remanded with directions to reinstate the initial sentence of  
eight years in prison. See State v. Williams, 780 So. 2d 1031 (Fla. 1st DCA 2001)  
(holding that trial court loses jurisdiction to rule on a Florida Rule of Criminal Procedure

3.800(c) motion to mitigate or modify sentence while direct appeal is pending; remanding with directions to reinstate the initial sentence); Othouse v. State, 912 So. 2d 682 (Fla. 2d DCA 2005) (holding that notice of appeal divested circuit court of jurisdiction to rule on the pending rule 3.800(c) motion).

ALTENBERND, WHATLEY, and LaROSE, JJ., Concur.