

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JULY TERM, A.D. 2001

JERMAINE TYNELL DUHART,

\*\*

Petitioner,

\*\* CASE NO. 3D00-2738

vs.

\*\* LOWER  
TRIBUNAL NO. 97-10047

THE STATE OF FLORIDA,

\*\*

Respondent.

\*\*

Opinion filed December 19, 2001.

A Case of Original Jurisdiction - Habeas Corpus.

Jermaine Tynell Duhart, in proper person.

Robert A. Butterworth, Attorney General, and Erin K. Zack,  
Assistant Attorney General, for appellee.

Before JORGENSON, COPE, and GODERICH, JJ.

PER CURIAM.

Defendant seeks a writ of habeas corpus alleging ineffective assistance of appellate counsel. Based on the State's proper confession of error we remand for resentencing in Circuit Court cases 91-1730 and 93-32884 because of calculation errors in the scoresheet. We find no merit in the remaining points.

Petition granted in part; denied in part; remanded.