

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

THE STATE OF FLORIDA,	**	
Appellant,	**	
vs.	**	CASE NO. 3D01-1039
WALLACE EDWARD JOHNSON,	**	LOWER
Appellee.	**	TRIBUNAL NO. 01-5152

Opinion filed October 10, 2001.

An Appeal from the Circuit Court for Miami-Dade County, Leon M. Firtel, Judge.

Robert A. Butterworth, Attorney General, and Meredith L. Balo, Assistant Attorney General (Fort Lauderdale), for appellant.

Bennett H. Brummer, Public Defender, and Marti Rothenberg, Assistant Public Defender, for appellee.

Before COPE, and GERSTEN, JJ., and NESBITT, Senior Judge.

PER CURIAM.

We reverse the defendant's downward departure sentence because the trial court failed to provide written reasons justifying departure from the guidelines recommendation. See State v.

Colbert, 660 So. 2d 701 (Fla. 1995); Branam v. State, 554 So. 2d 512 (Fla. 1990). The defendant is granted thirty days from the date this decision becomes final to withdraw his plea if he so wishes. See Jones v. State, 639 So. 2d 28 (Fla. 1994).

Reversed and remanded for resentencing.