

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

CYNTHIA CALHOUN,	**	
Appellant,	**	
vs.	**	CASE NO. 3D01-1491
THE STATE OF FLORIDA,	**	LOWER
Appellee.	**	TRIBUNAL NO. 98-36397

Opinion filed November 7, 2001.

An Appeal from the Circuit Court for Dade County, Pedro P. Echarte, Jr., Judge.

Bennett H. Brummer, Public Defender and Andrew Stanton, Assistant Public Defender, for appellant.

Robert A. Butterworth, Attorney General and Gary K. Milligan (Fort Lauderdale), Assistant Attorney General, for appellee.

Before SCHWARTZ, C.J., and FLETCHER and SORONDO, JJ.

PER CURIAM.

Because the defendant's agreed sentence was based upon a guidelines scoresheet which erroneously included points for victim injury on convictions of felony leaving the scene of an accident,

Geary v. State, 675 So. 2d 625 (Fla. 2d DCA 1996), review denied, 680 So. 2d 422 (Fla. 1996), and misdemeanor driving while license suspended, Geary; cf. May v. State, 747 So. 2d 459 (Fla. 4th DCA 1999); see generally Fudge v. State, 791 So. 2d 1186 (Fla. 5th DCA 2001), the order below denying her 3.800 motion is reversed with directions to permit the defendant, at her option, to withdraw her plea or to be sentenced under a correctly computed guidelines scoresheet.