

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

CHRISTOPHER T. RANSOM, **
 Appellant, **

vs. ** CASE NO. 3D01-274

THE STATE OF FLORIDA, ** LOWER
 Appellee. ** TRIBUNAL NO. 97-80

Opinion filed September 5, 2001.

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

Bennett H. Brummer, Public Defender and Lisa Walsh, Assistant Public Defender, for appellant.

Robert A. Butterworth, Attorney General and Fredericka Sands, Assistant Attorney General, for appellee.

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

PER CURIAM.

The operative facts in this case are identical to those in State v. Boyd, 717 So. 2d 524 (Fla. 1998). On the authority of Boyd, the order revoking probation and consequent sentence are vacated and set aside. The appellant is discharged. This opinion shall take effect immediately notwithstanding the filing or disposition of any motion for rehearing.