

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

JOSE CHING,	**	
Appellant,	**	
vs.	**	CASE NO. 3D01-286
THE STATE OF FLORIDA,	**	LOWER
Appellee.	**	TRIBUNAL NO. 95-26275

Opinion filed October 3, 2001.

An Appeal from the Circuit Court for Miami-Dade County, Ellen Leesfield, Judge.

Jose Ching, in proper person.

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

Before JORGENSON, GODERICH and SHEVIN, JJ.

PER CURIAM.

We grant defendant's petition for belated appeal of his sentence. Demps v. State, 696 So. 2d 1296 (Fla. 3d DCA 1997). Pursuant to the state's proper confession, we remand this matter to the trial court to address the errors on the revised scoresheet and

to resentence defendant accordingly. Specifically, the court shall address whether it was proper to score victim injury and legal status violation points on the revised scoresheet. Notably, the original scoresheet did not reflect points for either category. In addition, the court shall delete the points assessed for possession of a firearm. Neal v. State, 695 So. 2d 496 (Fla. 1st DCA 1997).

Cause remanded for resentencing.