

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

JOSEPH NELSON,

Appellant,

vs.

THE STATE OF FLORIDA,

Appellee.

**

** CASE NO. 3D01-681

** LOWER

TRIBUNAL No. F87-11499

**

**

Opinion filed September 29, 2001.

An Appeal under Fla. R. App. P. 9.141(b)(2) from the Circuit
Court for Dade County, Jerald Bagley, Judge.

Joseph Nelson, in proper person.

Robert A. Butterworth, Attorney General, and Gary K. Milligan,
Assistant Attorney General, for appellee.

Before JORGENSON, GODERICH, and SORONDO, JJ.

PER CURIAM.

Defendant appeals from an order denying his Motion for
Correction of Sentence. We reverse the order, vacate the sentence of
twenty years in prison for a second degree felony, and remand for
resentencing.