

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA

THIRD DISTRICT

JANUARY TERM, A.D. 2004

CURTIS J. TILLMAN,

**

Appellant,

**

CASE NO.:3D03-3229

vs.

**

LOWER

TRIBUNAL NO.:96-33901

THE STATE OF FLORIDA,

**

Appellee.

**

Opinion filed April 28, 2004.

An appeal under Fla. R. App. P. 9.141(b)(2) from the Circuit Court for Miami-Dade County, Scott J. Silverman, Judge.

Curtis J. Tillman, in proper person.

Charles J. Crist, Jr., Attorney General, and Marni A. Bryson, Assistant Attorney General, (Ft. Lauderdale), for appellee.

Before SCHWARTZ, C.J., and SHEVIN, and WELLS, JJ.

CONFESSION OF ERROR

PER CURIAM.

Due to the State's proper confession of error, we vacate the sentence imposed and remand for resentencing the defendant under the 1994 sentencing guidelines.