

# Third District Court of Appeal

State of Florida, July Term, A.D. 2012

Opinion filed December 19, 2012.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D12-278  
Lower Tribunal No. 99-34767

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**Enrique Lopez Mendez,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Sarah I. Zabel, Judge.

Enrique Lopez Mendez, in proper person.

Pamela Jo Bondi, Attorney General, and Timothy R. M. Thomas, Assistant Attorney General, for appellee.

ON CONFESSION OF ERROR

Before SHEPHERD and EMAS, JJ., and SCHWARTZ, Senior Judge.

SHEPHERD, J.

Enrique Lopez-Mendez appeals from the trial court's denial of his Florida Rule of Criminal Procedure 3.800 motion. Based upon Appellee's proper and commendable confession of error and our independent review of the record, we reverse with directions to the trial court to vacate that portion of Mendez's sentence on Count I which mandates he serve a twenty-five year minimum mandatory under the 10/20 Life statute, see § 775.087(2)(a)3, Fla. Stat. (1999), and remand for imposition of a twenty-year minimum mandatory. See § 775.087(2)(a)2, Fla. Stat. (1999).

In all other respects, we affirm.

Affirmed in part, reversed in part, and case remanded with directions.