

Third District Court of Appeal

State of Florida, July Term, A.D. 2013

Opinion filed December 26, 2013.

No. 3D12-1512
Lower Tribunal No. 10-13607

Eduardo Garcia,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Darrin P. Gayles, Judge.

Carlos J. Martinez, Public Defender, and Manuel Alvarez, Assistant Public Defender, for appellant.

Pamela Jo Bondi, Attorney General, and Shayne R. Burnham, Assistant Attorney General, for appellee.

Before SHEPHERD, C.J., and WELLS and ROTHENBERG, JJ.

CONFESSION OF ERROR

PER CURIAM.

The court accepts the State's proper confession of error that Appellant's conviction for carrying a concealed firearm should be dismissed because the evidence was insufficient as a matter of law to support the charge. Accordingly, the conviction and sentence on Count 2 are hereby reversed and the cause is remanded for entry of a judgment of acquittal as to the charge of carrying a concealed firearm.

Reversed and remanded with directions.