

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JULY TERM 2008

WALTER MADDUX,

Appellant,

v.

Case No. 5D07-475

STATE OF FLORIDA,

Appellee.

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Opinion filed July 18, 2008

Appeal from the Circuit Court
for Marion County,
Brian Lambert, Judge.

James S. Purdy, Public Defender, and
Meghan Ann Collins, Assistant Public
Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Pamela J. Koller,
Assistant Attorney General, Daytona
Beach, for Appellee.

SAWAYA, J.

We affirm the finding that Maddox violated his probation but reverse the sentence imposed and remand for resentencing under the scoresheet originally used to sentence Maddox for the underlying offense.

AFFIRMED in part; REVERSED in part; REMANDED.

GRIFFIN and COHEN, JJ., concur.