

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

MICHAEL DORSEY,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D14-195

Opinion filed August 4, 2015.

An appeal from the Circuit Court for Leon County.
Jackie L. Fulford, Judge.

Nancy A. Daniels, Public Defender, and Richard M. Summa, Assistant Public
Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, and Justin D. Chapman, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

We affirm appellant's conviction and sentence for unlawful use of a
computer service in all respects but one. Appellant filed a motion to correct
sentencing error pursuant to Florida Rule of Criminal Procedure 3.800(b)(2),
claiming it was error to impose sex offender probation because unlawful use of a

computer service was not an enumerated offense under section 948.30, Florida Statutes (2012). The trial court granted the motion and, over appellant's objection, attempted to remedy the error by selectively imposing special conditions of sex offender probation at resentencing. We agree with appellant that this violated the constitutional prohibition against double jeopardy. See Snow v. State, 157 So. 3d 559, 561 (Fla. 1st DCA 2015). Accordingly, we reverse and remand with directions that the trial court strike the special conditions of sex offender probation.

Id.

AFFIRMED in part; REVERSED in part; and REMANDED with directions.

ROWE, SWANSON, and BILBREY, JJ., CONCUR.