

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

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

OLIVER DERRICK BROWN,

Appellant,

v.

CASE NO. 1D06-2378

STATE OF FLORIDA,

Appellee.

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Opinion filed November 20, 2007.

An appeal from the Circuit Court of Suwannee County.  
David W. Fina, Judge.

Nancy A. Daniels, Public Defender, and A. Victoria Wiggins, Assistant Public  
Defender, Tallahassee, for Appellant.

Bill McCollum, Attorney General, and Thomas D. Winokur, Assistant Attorney  
General, Tallahassee, for Appellee.

PER CURIAM.

The appellant challenges the sufficiency of the evidence to support one of his  
four convictions, and he also challenges the imposition of consecutive habitual felony

offender sentences. Although the evidence was sufficient to support the conviction, the appellant correctly notes that the consecutive sentences are contrary to the restrictions on enhanced sentencing as announced in cases such as Hale v. State, 630 So. 2d 521 (Fla. 1994), for offenses which occur during a single criminal episode. The challenged conviction is affirmed, but the four sentences are vacated and the case is remanded for resentencing.

ALLEN, WEBSTER, and VAN NORTWICK, JJ., CONCUR.