

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

MICHAEL ELFORD,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D06-5151

Opinion filed April 16, 2007.

An appeal from the Circuit Court for Leon County.
Janet E. Ferris, Judge.

Michael Elford, pro se, Appellant.

Bill McCollum, Attorney General, and Alexandria Walters, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

Appellee's concession of error and motion to remand are found to be well-taken. The circuit court's final order is hereby reversed and the cause remanded to the lower tribunal to consider the reply filed by appellant before issuing a ruling on the merits of the petition filed below. See Bard v. Wolson, 687 So. 2d 254 (Fla. 1st DCA 1996).

REVERSED and REMANDED.

KAHN, POLSTON, and THOMAS, JJ., CONCUR.