

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

JULY TERM 2010

ROY LEE ICON, III,

Appellant,

v.

Case No. 5D09-1417

STATE OF FLORIDA,

Appellee.

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Opinion filed September 24, 2010

Appeal from the Circuit Court  
for Orange County,  
Bob Leblanc, Judge.

James S. Purdy, Public Defender, and  
Susan A. Fagan, Assistant Public  
Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General,  
Tallahassee, and Douglas T. Squire,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

Roy Lee Icon, III appeals his convictions of two counts of aggravated battery and one count of robbery with a firearm. Icon contends that convicting him of two counts of aggravated battery for a single act against a single victim violates double jeopardy principles. The State properly concedes error. Accordingly, we vacate one of Icon's

aggravated battery convictions. We find no merit in the other issues raised by Icon and affirm his other conviction of aggravated battery and robbery with a firearm.

AFFIRMED in part; REVERSED in part; and REMANDED.

SAWAYA, PALMER and ORFINGER, JJ., concur.