

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

JULY TERM 2011

ODALIS CRUZ,

Appellant,

v.

Case No. 5D10-1441

STATE OF FLORIDA,

Appellee.

Opinion filed September 30, 2011

Appeal from the Circuit Court
for Marion County,
Hale R. Stancil, Judge.

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

Pamela Jo Bondi, Attorney General,
Tallahassee, and Megan Saillant,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

We affirm the order clarifying Odalis Cruz's sentence. However, we strike the imposition of the \$2000 fine, the related \$100 surcharge, and the \$20 Crime-stoppers fine because, as the State concedes, such discretionary fines are not authorized under the habitual violent felony offender sentencing scheme. Wright v. State, 48 So. 3d 926 (Fla. 1st DCA 2010).

Sentence AFFIRMED; specified fines STRICKEN.

SAWAYA, MONACO AND TORPY, JJ., concur.