



Hutchins v. State

761 So.2d 459 (2000) | Cited 0 times | District Court of Appeal of Florida | June 14, 2000

The Defendant was found guilty of two crimes that occurred on October 24, 1996. He now appeals his sentence, arguing that the trial court erred by sentencing him under chapter 95-182 because it violated the single subject rule.

Because the window period for raising single subject challenges to chapter 95-182 opened on October 1, 1995, and closed on May 24, 1997, the Defendant has standing to raise this issue. See *Salters v. State*, 25 Fla. L. Weekly S365, S366 (Fla. May 11, 2000). Moreover, he is correct in arguing chapter 95-182 is unconstitutional because it violates the single subject rule. See *State v. Thompson*, 750 So. 2d 643 (Fla. 1999). We reverse the Defendant's sentence and remand for resentencing in accordance with the valid laws in effect on October 24, 1996, the date on which he committed the underlying offenses in this case. See *Salters*, 25 Fla. L. Weekly at S366.

REVERSED AND REMANDED.

GUNTHER, FARMER and KLEIN, JJ., concur.

NOT FINAL UNTIL THE DISPOSITION OF ANY TIMELY FILED MOTION FOR REHEARING.

