

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D17-0752

RICHARD PRICE TUCKER,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Clay County.
Don H. Lester, Judge.

October 31, 2018

PER CURIAM.

Appellant challenges the trial court's order revoking his probation. Appellant argues that the trial court failed to hold a proper *Faretta* inquiry after appellant made an unequivocal request to represent himself. The State concedes that reversible error occurred. We agree. *Williams v. State*, 163 So. 3d 740, 741 (Fla. 1st DCA 2015); *see also Cuyler v. State*, 131 So. 3d 827, 828 (Fla. 1st DCA 2014) (holding a defendant who chooses to proceed pro se must be offered the assistance of counsel at every critical stage of a criminal proceeding, including the sentencing hearing).

Accordingly, we REVERSE appellant's judgment and sentence and REMAND for a new revocation of probation hearing with instructions for the trial court to conduct a proper *Faretta* inquiry

at every critical stage of the proceeding if appellant chooses to represent himself.

WOLF, LEWIS, and ROWE, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Andy Thomas, Public Defender, and Jasmine Russell, Assistant Public Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, and Kaitlin Weiss, Assistant Attorney General, Tallahassee, for Appellee.