

pealing the revocation order of the District Court. The appeal was regularly assigned to this Court's Accelerated Docket under Section XI of the *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch. 18, App. (2000). In her Accelerated Docket Application and brief, Appellant urges a single proposition of error: The trial court was without authority to accept a plea and impose sentence in Creek County Case No. CF-95-171 because it had been previously dismissed, thereby depriving the court of jurisdiction. (Appellant's brief at 2.)

On January 4, 2001, Appellee filed a Response to Appellant's brief and a "Motion to Confess Error." Within its pleading the Attorney General, on behalf of the State, concedes the error raised by Appellant.

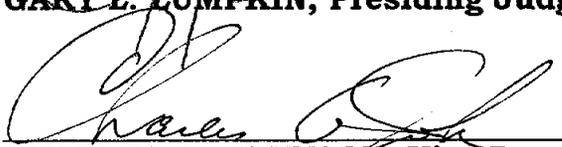
In light of the foregoing, the existing record before us, and the authorities cited by the parties herein, the Court **FINDS** it was error for the District Court to have entered an order revoking the suspended sentence in Creek County Case No. CF-95-171. **IT IS THEREFORE THE ORDER OF THIS COURT** that the Creek County District Court order of May 5, 2000, revoking Appellant's suspended sentence in Case No. CF-95-171 is **VACATED**. Further, this matter is **REMANDED** to the District Court for the entry of an order nunc pro tunc in CF-95-171 consistent with this Opinion.

IT IS SO ORDERED.

WITNESS OUR HANDS AND THE SEAL OF THIS COURT this 12th day of January, 2001.



GARY L. LUMPKIN, Presiding Judge



CHARLES A. JOHNSON, Vice Presiding Judge

Charles S. Chapel

CHARLES S. CHAPEL, Judge

Reta M. Strubhar

RETA M. STRUBHAR, Judge

Steve Lile

STEVE LILE, Judge

ATTEST:

James Littleman
Clerk