

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

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

MARSHALL ALLEN JOHNSON,

Appellant,

v.

Case No. 5D14-954

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed September 19, 2014

Appeal from the Circuit Court
for Brevard County,
Charles G. Crawford, Judge.

James S. Purdy, Public Defender, and
Edward J. Weiss, Assistant Public
Defender, Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Andrea K. Totten,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

Based on the State's concession that the judgment below must be corrected, we reverse and remand for the following corrections to the judgment and sentence:

1. \$50 of the public defender's fee shall be removed.
2. The violations of probation shall be removed from the judgment as additional counts.

3. The judgment shall be corrected to show that appellant did not plead guilty to the violation.

Finally, although the issue may not have been properly preserved, it is suggested that the court enter a written order designating the reason for the finding of violation of probation.

REVERSED AND REMANDED

PALMER, LAWSON, JJ., and HARRIS, C. M., Senior Judge, concur.