

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

NIGEL THOMAS, JR.,

Appellant,

v.

Case No. 5D15-197

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed September 4, 2015

Appeal from the Circuit Court
for Hernando County,
Stephen E. Toner, Jr., Judge.

James S. Purdy, Public Defender, and
Kathryn Rollison Radtke, Assistant Public
Defender, Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Kaylee D. Tatman,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

We affirm as to all issues raised in this Anders¹ appeal. However, appellate counsel correctly points out that there is a scrivener's error in the judgment. The judgment incorrectly states that Appellant entered a plea of nolo contendere. In actuality, Appellant

¹ Anders v. California, 386 U.S. 738 (1967).

was convicted following a jury trial. Therefore, we remand for correction of the scrivener's error. See Harvey v. State, 146 So. 3d 66 (Fla. 5th DCA 2014); Garvin v. State, 83 So. 3d 754 (Fla. 5th DCA 2011); Lopez-Vasquez v. State, 966 So. 2d 996 (Fla. 5th DCA 2007). Appellant need not be present for this correction. See Sirota v. State, 977 So. 2d 700 (Fla. 4th DCA 2008).

AFFIRMED and REMANDED.

SAWAYA, BERGER, and WALLIS, JJ., concur.