

FIFTH DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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Case No. 5D22-2665  
LT Case No. 2020-303667-CFDB

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NICHOLAS C. HARRIS,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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On appeal from the Circuit Court for Volusia County.  
Raul A. Zambrano, Judge.

Matthew Metz, Public Defender, and Kathryn Rollison Radtke,  
Assistant Public Defender, Daytona Beach, for Appellant.

No Appearance for Appellee.

February 23, 2024

PER CURIAM.

In this *Anders*\* appeal, we affirm the judgment and sentence imposed by the trial court but remand for the trial court to: (1) correct the written judgment in 2020-303667-CFDB to reflect that

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

Appellant was tried and found guilty by jury of, and is adjudicated guilty of, manslaughter (a lesser included offense), with a weapon, under sections 782.07(1) and 775.087(1)(b), Florida Statutes; (2) correct the written order of probation to reflect that Appellant was found guilty by jury verdict of, and is adjudicated guilty of, manslaughter (a lesser included offense), with a weapon; and (3) correct the scoresheet to list the description of the primary offense as manslaughter (a lesser included offense), with a weapon, and list the corresponding Florida Statutes of the primary offense, sections 782.07(1) and 775.087(1)(b).

AFFIRMED; REMANDED for correction of scrivener's errors.

MAKAR and WALLIS, JJ., concur.

PRATT, J., concurs in part and dissents in part with opinion.

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

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PRATT, J., concurring in part, dissenting in part.

I concur in the panel's affirmance of the judgment and sentence, but I respectfully dissent from the panel's *sua sponte* correction of scrivener's errors in this *Anders* appeal. See *Flowers v. State*, No. 5D23-844, 2024 WL 387177, at \*1–2 (Fla. 5th DCA Feb. 2, 2024) (Eisnagle, J., concurring in part, dissenting in part).