NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL

OF FLORIDA

SECOND DISTRICT

CAROL FOLSOM,)
Appellant,)
v.)
STATE OF FLORIDA,))
Appellee.)

Case No. 2D15-443

Opinion filed December 30, 2015.

Appeal from the Circuit Court for Polk County; Glenn T. Shelby, Judge.

Howard L. Dimmig, II, Public Defender, and Maureen E. Surber, Assistant Public Defender, Bartow, for Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, for Appellee.

SALARIO, Judge.

Based upon an independent review pursuant to <u>Anders v. California</u>, 386 U.S. 738 (1967), we affirm Carol Folsom's withhold of adjudication and her resulting probationary sentence without further comment. However, we note a scrivener's error on the face of the probation order. The order incorrectly reflects that Ms. Folsom entered a guilty plea. The record shows that Ms. Folsom was found guilty following a

jury trial. We remand for correction of this error. <u>See Murphy v. State</u>, 164 So. 3d 49 (Fla. 2d DCA 2015); <u>Brunson v. State</u>, 977 So. 2d 748 (Fla. 2d DCA 2008).

Affirmed and remanded with directions.

ALTENBERND and KELLY, JJ., Concur.