

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

JEFFREY R. SMITH,

Appellant,

v.

Case No. 5D19-1521

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed December 6, 2019

Appeal from the Circuit Court
for Brevard County,
Robin C. Lemonidis, Judge.

James S. Purdy, Public Defender, and
Teresa D. Sutton, Assistant Public
Defender, Daytona Beach, for Appellant.

Ashley Moody, Attorney General,
Tallahassee, and Kristen Davenport,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

In this Anders¹ appeal, Jeffery R. Smith appeals the judgment and sentence entered after a violation of probation hearing. We affirm; however, we remand for the lower court to enter a written order specifying the condition or conditions of probation that Smith was found to have violated and to enter a written order conforming to the lower

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

court's oral finding that Smith was a danger to the community, as required by section 948.06(8)(e), Florida Statutes (2019). See White v. State, 272 So. 3d 857, 857 (Fla. 5th DCA 2019) (remanding for entry of written order revoking appellant's probation specifying conditions of probation that lower court found appellant violated); Barber v. State, 207 So. 3d 379, 384 (Fla. 5th DCA 2016) (“[T]he written findings requirement of section 948.06(8)(e) is mandatory, not discretionary.”).

AFFIRMED; REMANDED WITH INSTRUCTIONS.

EVANDER, C.J., COHEN and WALLIS, JJ., concur.