

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

TEVIS L. MITCHELL,

Appellant,

v.

Case No. 5D21-1393
LT Case Nos. 19-CF-1806-A
19-CF-1769-A
19-CF-1763-A
19-CF-1765-A

STATE OF FLORIDA,

Appellee.

Opinion filed December 10, 2021

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

Matthew J. Metz, Public Defender, and Danielle
Rufani, Assistant Public Defender, Daytona Beach,
for Appellant.

Ashley Moody, Attorney General, Tallahassee,
and Roberts J. Bradford, Jr., Assistant Attorney
General, Daytona Beach, for Appellee.

PER CURIAM.

We affirm this *Anders*¹ appeal in all respects. However, we note that the judgment for Case No. 19-CF-1806-A contains a scrivener's error imposing a fifteen-year sentence for count ten. This conflicts with the oral pronouncement that the sentence for count ten, a third-degree felony, was five years. Accordingly, we remand this case for correction of the scrivener's error on the judgment and sentence. See, e.g., *Batizi v. State*, 268 So. 3d 235, 235 (Fla. 5th DCA 2019) (affirming *Anders* appeal but remanding for correction of scrivener's errors). Because this corrected sentence has no impact on Appellant's incarceration term, he need not be present at resentencing. See *Johnson v. State*, 899 So. 2d 1283, 1283 (Fla. 5th DCA 2005).

AFFIRMED and REMANDED.

EVANDER, WALLIS and TRAVER, JJ., concur.

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