

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

ARNALDO MARTINEZ,

Appellant,

v.

Case No. 5D21-1756

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed September 10, 2021

3.800 Appeal from the Circuit Court
for Seminole County,
Melissa Souto, Judge.

Arnaldo Martinez, Florida City, pro se.

No Appearance for Appellee.

PER CURIAM.

Appellant, Arnaldo Martinez, appeals from the order denying his motion to correct illegal sentence filed pursuant to Florida Rule of Criminal Procedure 3.800(a). We affirm the denial without further discussion.

However, we remand for correction of a scrivener's error. The postconviction court ordered correction of the judgment on counts four and

six to reflect the substantive statutes under which Martinez was convicted. While the judgment was amended on June 30, 2021, it remains incorrect. Per the postconviction court's June 25, 2021 order, the judgment on count four should reflect that Martinez was found guilty under section 896.101(3)(a)1., Florida Statutes (2009), and the judgment on count six should reflect he was found guilty under section 896.104(2)(c), Florida Statutes (2009).

AFFIRMED; REMANDED FOR CORRECTION OF SCRIVENER'S ERROR.

EDWARDS, TRAVER, AND WOZNIAK JJ., concur.