

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JULY TERM 2006

ROBERT GIBSON,

Appellant,

v.

Case No. 5D05-720

STATE OF FLORIDA,

Appellee.

Opinion filed July 28, 2006

Appeal from the Circuit Court
for Brevard County,
Charles M. Holcomb, Judge.

James S. Purdy, Public Defender, and
Thomas J. Lukashow, Assistant Public
Defender, Daytona Beach, for Appellant.

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Ann M. Phillips,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

The state properly concedes that, as a result of a scrivener's error, the judgment and sentence in Case No. 91-7125 erroneously indicates that appellant was sentenced to prison on a violation of probation charge as to both Counts II and III, rather than solely as to Count III. However, appellant's claim that he is entitled to additional jail credit for time served is without merit. *Echols v. State*, 660 So. 2d 782 (Fla. 4th DCA 1995).

REVERSED and REMANDED for Correction of Scrivener's error.

THOMPSON, MONACO and EVANDER, JJ., concur.