

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

PAUL CONRAD HAUG,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D14-2778

Opinion filed December 12, 2014.

An appeal from the Circuit Court for Columbia County.
Julian E. Collins, Judge.

Nancy A. Daniels, Public Defender, and Steven L. Seliger, Assistant Public
Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General; David Campbell and Virginia Harris, Assistant
Attorneys General, Tallahassee, for Appellee.

PER CURIAM.

Appellant, Paul Conrad Haug, challenges his convictions and sentences, arguing that the trial court failed to conduct a plea colloquy prior to adjudicating him guilty and sentencing him for violating his probation. “Due process requires a court accepting a guilty plea to carefully inquire into the defendant’s understanding of the

plea, so that the record contains an affirmative showing that the plea was intelligent and voluntary.” Koenig v. State, 597 So. 2d 256, 258 (Fla. 1992). As properly conceded by the State, the record reflects that Appellant was never sworn in, he never admitted to any of the alleged violations of probation, and he was never informed of the consequences of his admission. Because the legal requirements of Florida Rules of Criminal Procedure 3.170(k) and 3.172(c) were not fulfilled, the trial court erred in entering the judgment and sentence for violation of probation. We, therefore, REVERSE and REMAND for further proceedings.

THOMAS, ROWE, and OSTERHAUS, JJ., CONCUR.