

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

RODNEY DALE JONES,

Appellant,

v.

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

CASE NO. 1D16-1808

STATE OF FLORIDA,

Appellee.

Opinion filed March 27, 2017.

An appeal from an order of the Circuit Court for Escambia County.
Gary L. Bergosh, Judge.

Andy Thomas, Public Defender, and Joel Arnold, Assistant Public Defender,
Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

In this *Anders*¹ appeal, we affirm the appellant's judgment and sentence.
However, appellant's counsel has noted two scrivener's errors in the judgment.²

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

² In case number 2015-CF-2820, appellant pleaded no contest to attempted robbery without a weapon, which is a third-degree felony, *see* § 812.13(2)(c), Fla. Stat.; § 777.04(4)(d), Fla. Stat. The order of judgment and sentence incorrectly lists the offense as a second-degree felony. In case number 2015-CF-2819, the trial court orally imposed a ten-year term of probation. However, the order of judgment

This court's precedent requires us to remand and direct the trial court to correct these identified scrivener's errors. *See Powers v. State*, 609 So. 2d 176, 177 (Fla. 1st DCA 1992) (“[W]e must remand the judgment form for correction of the scrivener's error”); *Jenkins v. State*, 590 So. 2d 560, 560 (Fla. 1st DCA 1991).

AFFIRMED and REMANDED with directions.

ROBERTS, C.J., and LEWIS and WINSOR, JJ., CONCUR.

and sentence incorrectly lists a fifteen-year term of probation. The “oral pronouncement controls.” *Allen v. State*, 940 So. 2d 1270, 1270 (Fla. 1st DCA 2006).