

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D18-4638

WILLIAM DOUGLAS BURGIN JR,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Santa Rosa County.
John F. Simon, Judge.

August 14, 2019

PER CURIAM.

We agree with appointed counsel that the record contains no reversible error and affirm Mr. Burgin's judgment and sentence. *Anders v. California*, 386 U.S. 738 (1967). We write only to correct a scrivener's error on the written judgment and sentence. *See Ashley v. State*, 850 So. 2d 1265, 1268 n.3 (Fla. 2003) (defining a scrivener's error as a written clerical error that is not "the result of a judicial determination or error"). After revoking Mr. Burgin's probation, the trial court orally imposed \$100 for the cost of prosecution and \$150 for the cost of the public defender. However, the written judgment and sentence entered after his violation of probation does not include these costs. On remand, the trial court shall correct these errors. *See Skinner v. State*, 155 So. 3d 497, 497 (Fla. 5th DCA 2015) (remanding for correction of scrivener's error

in the order on fines and costs in an *Anders* appeal); *Rivera v. State*, 117 So. 3d 449-50 (Fla. 2d DCA 2013) (remanding for correction of the written sentence to reflect the oral pronouncement).

Judgment AFFIRMED and cause REMANDED for correction of scrivener's errors.

RAY, C.J., and KELSEY and WINOKUR, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Andy Thomas, Public Defender, Steven L. Seliger, Assistant Public Defender, and Megan Long, Assistant Public Defender, Tallahassee, for Appellant.

Ashley Moody, Attorney General, Tallahassee, for Appellee.