

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2014*

**JOSE L. RAYA,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D14-1587

[October 8, 2014]

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, St. Lucie County; Dan L. Vaughn, Judge; L.T. Case No. 14-1587.

Carey Haughwout, Public Defender, and Ian Seldin, Assistant Public Defender, West Palm Beach, for appellant.

No appearance required for appellee.

PER CURIAM.

Jose L. Raya appeals the convictions and sentences imposed after he entered a plea of no contest to second degree murder and felonious possession of a firearm. After reviewing the record, we grant appellate counsel's motion to withdraw filed pursuant to *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396, 18 L.Ed.2d 493 (1967), and we affirm the conviction and sentences.

Nevertheless, we remand for the correction of a scrivener's error in the written sentencing order for count 2. At sentencing, the court orally pronounced that the sentence in count 2 would run concurrently with the sentence imposed in count 1. However, the written sentencing order indicates that count 2 "shall run Consecutive to/Concurrent [with]" the sentence in count 1. On remand, the trial court is directed to correct the written sentencing order so that it is consistent with the oral pronouncement. See *Simmons v. State*, 106 So. 3d 507 (Fla. 4th DCA 2013) (affirming and remanding for correction of a scrivener's error in written judgment in an *Anders* appeal).

*Affirmed and remanded with instructions.*

DAMOORGIAN, C.J., CONNER and FORST, JJ., concur.

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***Not final until disposition of timely filed motion for rehearing.***