

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

CHRISTOPHER MAURICE WHITE,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D14-4731

[August 31, 2016]

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, St. Lucie County; Dan L. Vaughn, Judge; L.T. Case No. 562013CF003026A.

Carey Haughwout, Public Defender, and Jeffrey L. Anderson, Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Mitchell A. Egber, Assistant Attorney General, West Palm Beach, for appellee.

CONNER, J.

White appeals his judgment and sentence after a jury found him guilty of attempted robbery while wearing a mask and he was sentenced to fifteen years in the Department of Corrections. White raises several issues on appeal. We affirm, without discussion, as to each issue, except for an apparent scrivener's error in White's judgment.

Although the jury specifically found that White did not actually possess a firearm during the commission of the charged crime, White's judgment reflects that he was adjudicated for attempted robbery *with a deadly weapon* while wearing a mask. The State concedes that the "with a deadly weapon" portion of the judgment is incorrect. We agree, and remand for this error to be corrected. We note that White need not be present for the correction. See *Masterson v. State*, 133 So. 3d 1085, 1086 (Fla. 1st DCA 2014) (citing *Jones v. State*, 969 So. 2d 1126 (Fla. 1st DCA 2007)).

Affirmed in part, reversed in part, and remanded with instructions.

KLINGENSMITH, J., and SHEPHERD, FRANK A., Associate Judge, concur.

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Not final until disposition of timely filed motion for rehearing.