

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2012

NEIL B. FOX,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D10-2922

[May 9, 2012]

PER CURIAM.

Neil Fox appeals his conviction for cultivation of marijuana. On appeal, he raises two issues challenging his conviction, which we affirm without comment. He correctly contends, however, that the written judgment mistakenly reflects that he was adjudicated guilty, even though the trial court orally pronounced that it was going to withhold adjudication. As the state properly concedes, remand is necessary to correct this scrivener's error.

Affirmed but remanded for correction of scrivener's error.

TAYLOR, CIKLIN and GERBER, JJ., concur.

* * *

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Jeffrey Colbath, Judge; L.T. Case No. 2008CF010466AXX.

Glenn H. Mitchell, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Sue-Ellen Kenny, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.