

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

JUSTIN E. MAYS,
Petitioner,

v.

STATE OF FLORIDA,
Respondent.

No. 4D10-313

[May 2, 2012]

PER CURIAM.

We grant Justin Mays' petition for writ of habeas corpus alleging ineffective assistance of appellate counsel so that the trial court may correct a scrivener's error contained in the petitioner's judgment. See *Sinyard v. State*, 799 So. 2d 1067 (Fla. 2d DCA 2000); see also Fla. R. App. P. 9.141(d). Mays' judgment incorrectly lists one of his charges as "Count 3" (Criminal Solicitation) instead of "Count 5" (also Criminal Solicitation). Count 3 of the information charged Mays' codefendant—Hakam Sueliman—not Mays. Mays, however, was charged with Criminal Solicitation under Count 5. We direct the trial court to enter a corrected judgment. The remaining claims raised are denied without comment.

Petition Granted in part; Denied in part; and Remanded.

HAZOURI, CIKLIN and CONNER, JJ., concur.

* * *

Petition alleging ineffective assistance of counsel to the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Paul L. Backman, Judge; L.T. Case No. 06-6694 CF10C.

Justin E. Mays, South Bay, pro se.

Pamela Jo Bondi, Attorney General, Tallahassee, and James J. Carney, Assistant Attorney General, West Palm Beach, for respondent.

Not final until disposition of timely filed motion for rehearing.