

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

ALBERT M. GARCIA,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D11-3351

[August 15, 2012]

PER CURIAM.

The appellant, Albert Garcia, challenges his conviction after jury trial of misdemeanor fleeing and eluding. We affirm the judgment and sentence without discussion as to three issues Garcia raises. As for the fourth issue, we accept the state's concession that the case should be remanded for entry of an order of probation which conforms to the judgment of conviction, because the order mistakenly reflects that Garcia was convicted of a felony fleeing and eluding after he pled guilty. See *Rodriguez v. State*, 61 So. 3d 496 (Fla. 2d DCA 2011).

Affirmed and remanded.

GROSS, HAZOURI and CONNER, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; David A. Haimes, Judge; L.T. Case No. 10-20873 CF10A.

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

Pamela Jo Bondi, Attorney General, Tallahassee, and Melynda L. Melear, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.