

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

ROBERT HAROLD BITTLE,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D11-3710

[November 7, 2012]

GERBER, J.

The defendant appeals from the circuit court's order finding that he violated his probation. We affirm without discussion the circuit court's oral pronouncement finding that the defendant willfully and substantially violated his probation by committing the new offenses of robbery, assault on a law enforcement officer, resisting an officer without violence, aggravated assault on a law enforcement officer, and aggravated battery on a law enforcement officer. However, as the state concedes, the circuit court's written order of revocation of probation found that the defendant committed four other violations which the court did not include in its oral pronouncement. We remand for the circuit court to enter a corrected written order of revocation of probation which conforms to the court's oral pronouncement. *See Ortiz v. State*, 2 So. 3d 318, 319 (Fla. 4th DCA 2008) ("A written order of revocation must conform to the trial court's oral pronouncement.") (citation omitted). It shall not be necessary for the defendant to be present for this ministerial correction.

Affirmed; remanded for correction of revocation order.

MAY, C.J., and LEVINE, J., concur.

* * *

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; John Kastrenakes, Judge; L.T. Case No. 502003CF003555AMB.

Carey Haughwout, Public Defender, and Emily Ross-Booker, Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and George Francis, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.