

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JUSTIN ALLAN KIRKER,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

Case No. 2D14-2221

Opinion filed June 5, 2015.

Appeal from the Circuit Court for
Hillsborough County; Samantha Ward,
Judge.

Howard L. Dimmig, II, Public Defender, and
Bruce P. Taylor, Assistant Public Defender,
Bartow, for Appellant.

Pamela Jo Bondi, Attorney General,
Tallahassee, for Appellee.

PER CURIAM.

We affirm Justin Allan Kirker's conviction and sentence for one count of
felony battery; however, the written judgment contains a scrivener's error indicating that
Kirker entered a guilty plea when, in fact, he was convicted by a jury after trial. We

therefore remand for entry of a corrected written judgment. Kirker need not be present when this correction is made.

Conviction and sentence affirmed; remanded for correction of the written judgment.

VILLANTI, C.J., and ALTENBERND and KELLY, JJ., Concur.