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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

DANTE RASHAD MORRIS,)
Appellant,)
V.) Case No. 2D14-4165
STATE OF FLORIDA,)
Appellee.)))

Opinion filed July 29, 2016.

Appeal from the Circuit Court for Polk County; Reinaldo Ojeda, Judge.

Howard L. Dimmig, II, Public Defender, and Terrence E. Kehoe, Special Assistant Public Defender, Bartow, for Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Wendy Buffington, Assistant Attorney General, Tampa, for Appellee.

CASANUEVA, Judge.

Dante Rashad Morris appeals his judgments and sentences for attempted murder and attempted armed robbery. We affirm Mr. Morris's judgments and sentences without comment, but we remand his case for the trial court to enter a correct order on the costs Mr. Morris is required to pay.

Pursuant to a motion to correct sentencing error, <u>see</u> Fla. R. Crim. P. 3.800(b), the trial court entered an order directing that the cost of prosecution was limited to \$100 and that any Florida Department of Corrections (FDOC) supervision costs should be stricken because Mr. Morris was not placed on supervision. However, as Mr. Morris argues, and the State correctly concedes, the amended costs order that was subsequently filed still obligates him to pay \$100 for the "Additional" cost of prosecution and to pay the FDOC costs.

We therefore remand this case for the trial court to enter a correct costs order that does not require Mr. Morris to pay the additional \$100 for the cost of prosecution or the FDOC costs. Further, on remand the trial court is directed to amend the judgments and sentences so that they correctly reflect the spelling of Mr. Morris's first name.

Judgments and sentences affirmed; remanded for trial court to file corrected cost order.

SILBERMAN and KELLY, JJ., Concur.