

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING  
MOTION AND, IF FILED, DETERMINED  
IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

MARCUS GAYNOR, )  
 )  
 Appellant, )  
 )  
 v. ) Case No. 2D16-4841  
 )  
 STATE OF FLORIDA, )  
 )  
 Appellee. )  
 \_\_\_\_\_ )

Opinion filed September 15, 2017.

Appeal pursuant to Fla. R. App. P.  
9.141(b)(2) from the Circuit Court for  
Hillsborough County; Michelle Sisco, Judge.

Marcus Gaynor, pro se.

PER CURIAM.

Marcus Gaynor appeals the summary denial of his Florida Rule of Criminal Procedure 3.850 motion for postconviction relief. We affirm the denial without comment but remand for correction of a scrivener's error. See Stevens v. State, 114 So. 3d 485, 485 (Fla. 2d DCA 2013); Richardson v. State, 787 So. 2d 197, 198 (Fla. 2d DCA 2001).

Our review of the record reveals a scrivener's error in the amended judgment entered October 20, 2015. The amended judgment erroneously reflects that Gaynor was convicted in counts two and three of attempted sexual battery instead of

sexual battery as is indicated on the jury's written verdict form. Accordingly, we remand for correction of the scrivener's error in the amended judgment.

Affirmed; remanded with directions.

CASANUEVA, BLACK, and SLEET, JJ., Concur.