

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JUAN MARCOS RIVERA)
CABEZUDO,)
)
Appellant,)
)
v.)
)
STATE OF FLORIDA,)
)
Appellee.)
_____)

Case No. 2D19-2226

Opinion filed July 24, 2020.

Appeal from the Circuit Court for Polk
County; Keith P. Spoto, Judge.

W. Charles Fletcher, Jacksonville, for
Appellant.

Ashley Moody, Attorney General,
Tallahassee, and Elba Caridad Martin-
Schomaker, Assistant Attorney General,
Tampa, for Appellee.

ROTHSTEIN-YOUAKIM, Judge.

Juan Marcos Rivera Cabezudo appeals the revocation of his probation
and resulting sentence. We affirm without comment but remand for entry of a written
probation revocation order that specifies the condition of probation that Rivera
Cabezudo violated.

At the hearing, the trial court orally pronounced that Rivera Cabezudo had violated condition five, but the written order of revocation does not specify the violation of any condition. As Rivera Cabezudo argues, and the State properly concedes, the court erred in failing to specify in the written order that he was determined to have violated condition five. See Cato v. State, 845 So. 2d 250, 251 (Fla. 2d DCA 2003) (reaffirming that a written order of revocation must specify the conditions of probation that have been violated); see also Jones v. State, 221 So. 3d 736, 736 (Fla. 2d DCA 2017) ("A written order of revocation must conform to the oral pronouncement at the [revocation] hearing." (quoting Narvaez v. State, 674 So. 2d 868, 869 (Fla. 2d DCA 1996))).

We therefore remand for entry of a written order specifying a violation of condition five. See Jones, 221 So. 3d at 736; Cato, 845 So. 2d at 251.

Affirmed; remanded with instructions.

SILBERMAN and VILLANTI, JJ., Concur.