

DISTRICT COURT OF APPEAL OF FLORIDA  
SECOND DISTRICT

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CARLOS ALBERTO ENAMORADO,

Appellant/Cross-Appellee,

v.

STATE OF FLORIDA,

Appellee/Cross-Appellant.

No. 2D21-1627

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December 9, 2022

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

Howard L. Dimmig, II, Public Defender, and Richard J. Sanders, Assistant Public Defender, Bartow, for Appellant/Cross-Appellee.

Ashley Moody, Attorney General, Tallahassee, and Blain A. Goff, Assistant Attorney General, Tampa, for Appellee/Cross-Appellant.

SILBERMAN, Judge.

We affirm Carlos Alberto Enamorado's convictions without discussion as to the main appeal. As to the cross-appeal, we

cannot address a scrivener's error that "was not preserved either before this appeal by objection in the trial court or while this appeal was pending by the filing of a motion to correct sentencing error pursuant to Florida Rule of Criminal Procedure 3.800(b)(2)."

*Perkins v. State*, 53 So. 3d 1141, 1141 (Fla. 2d DCA 2011); *see also* Fla. R. App. P. 9.140(e). We affirm Enamorado's sentences without prejudice to any right the State may have to file a rule 3.800(a) motion in the trial court. *See Williams v. State*, 957 So. 2d 600, 601 (Fla. 2007) ("[A] claim asserting a discrepancy between an oral and written sentence is cognizable in a rule 3.800(a) proceeding for correction of an illegal sentence.").

MORRIS, C.J., and BLACK, J., Concur.

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Opinion subject to revision prior to official publication.