

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

TERRY W. SMALLEY,)	
)	
Appellant,)	
)	
v.)	Case No. 2D01-4782
)	
STATE OF FLORIDA,)	
)	
Appellee.)	
_____)	

Opinion filed November 22, 2002.

Appeal from the Circuit Court for
Pinellas County; J. Philip Federico,
Judge.

James Marion Moorman, Public
Defender, and A. Victoria Wiggins,
Assistant Public Defender, Bartow, for
Appellant.

Richard E. Doran, Attorney General,
Tallahassee, and Jonathan P. Hurley,
Assistant Attorney General, Tampa, for
Appellee.

PER CURIAM.

Terry W. Smalley appeals a judgment convicting him of aggravated stalk-
ing. We affirm. However, we remand in order for the trial court to correct a scrivener's
error on the judgment. The judgment refers to section 748.049, Florida Statutes (2001).

Mr. Smalley was convicted of violating section 784.048(4), Florida Statutes (2001). The judgment should be amended to reflect the correct statute.

Affirmed.

ALTENBERND, NORTHCUTT, and DAVIS, JJ., Concur.