

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

CHRISTOPHER L. JONES,)

Appellant,)

v.)

STATE OF FLORIDA,)

Appellee.)

Case No. 2D03-1775

Opinion filed May 21, 2004.

Appeal from the Circuit Court for
Hillsborough County; Claudia R. Isom,
Judge.

James Marion Moorman, Public Defender,
and Jean-Jacques A. Darius, Assistant
Public Defender, Bartow, for Appellant.

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Richard M. Fishkin,
Assistant Attorney General, Tampa,
for Appellee.

NORTHCUTT, Judge.

Christopher Jones appeals convictions for sexual battery and aggravated
battery. We affirm the convictions without discussion but remand for correction of a
scrivener's error. As Jones argues, and the State concedes, the judgment reflects a

conviction for sexual battery under section 794.011(3), Florida Statutes (2001), when Jones was actually convicted under section 794.011(4). On remand, the judgment must be corrected; Jones does not need to be present. We also affirm Jones's designation as a sexual predator, see Milks v. State, 848 So. 2d 1167 (Fla. 2d DCA), review granted, 859 So. 2d 514 (Fla. 2003); and we certify conflict with Espindola v. State, 855 So. 2d 1281 (Fla. 3d DCA 2003).

Affirmed; remanded; conflict certified.

STRINGER and DAVIS, JJ., Concur.