

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

CHRISTOPHER ROSENSTEEL,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

Case No. 2D05-270

Opinion filed April 7, 2006.

Appeal from the Circuit Court for Pinellas
County; Lauren C. Laughlin, Judge.

James Marion Moorman, Public Defender,
and Judith Ellis, Assistant Public Defender,
Bartow, for Appellant.

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Tiffany Gatesh Fearing,
Assistant Attorney General, Tampa, for
Appellee.

VILLANTI, Judge.

Christopher Rosensteel appeals the revocation of his probation. Because the
trial court failed to enter proper written findings specifying which conditions of probation

Rosensteel was found to have violated and because he preserved this issue by filing a motion pursuant to Florida Rule of Criminal Procedure 3.800(b)(2), we reverse and remand to the trial court with directions to enter such written findings.

Following an evidentiary hearing, the court orally found that Rosensteel had violated two conditions of his probation. Rosensteel violated condition 35 by having unsupervised contact with two children under the age of eighteen and conditions 8 and 10 by using marijuana. The trial court failed to enter written findings specifying which conditions of probation Rosensteel was found to have violated. See Jelks v. State, 770 So. 2d 183 (Fla. 2d DCA 2000). Rosensteel properly preserved the issue for appeal by the filing of a rule 3.800(b)(2) motion. Rule 3.800(b)(2) provides that a motion filed pursuant to that rule is deemed denied if the court fails to rule on it within sixty days. The record on appeal confirms that the trial court failed to timely rule on the motion. Accordingly, we reverse and remand only for the trial court to enter such written findings.

Reversed and remanded.

NORTHCUTT and SALCINES, JJ., Concur.