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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

REX BROWNING,	)	
	)	
Appellant,	)	
	)	
v.	)	Case No. 2D05-4295
	)	
STATE OF FLORIDA,	)	
	)	
Appellee.	)	
	)	
_____	)	

Opinion filed June 16, 2006.

Appeal pursuant to Fla. R. App. P.
9.141(b)(2) from the Circuit Court for
Lee County; Thomas S. Reese, Judge.

LaROSE, Judge.

We reverse and remand for the trial court to correct a scrivener's error in Rex Browning's judgment. Mr. Browning's judgment incorrectly reflects a violation of section 794.011(8)(b), Florida Statutes (Supp. 1994), when the judgment should have cited to the predecessor section 794.041(2)(b), Florida Statutes (1991). The State concedes error. Accordingly, we remand for the trial court to prepare an amended judgment correcting this citation error.

Reversed and remanded.

DAVIS and SILBERMAN, JJ., Concur.