

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

DIXIE LYNN MURPHY,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
)
 _____)

Case No. 2D06-3996

Opinion filed March 26, 2008.

Appeal from the Circuit Court for
Sarasota County; Andrew D. Owens, Jr.,
Judge.

James Marion Moorman, Public Defender,
and Robert D. Rosen, Assistant Public
Defender, Bartow, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Tiffany Gatesh Fearing,
Assistant Attorney General, Tampa, for
Appellee.

SILBERMAN, Judge.

In this Anders¹ appeal, Dixie Lynn Murphy challenges her convictions and
sentences resulting from charges for two counts of DUI manslaughter. After a thorough

¹ Anders v. California, 386 U.S. 738 (1967).

review of the record, we have found no harmful, reversible error. However, we remand for correction of a scrivener's error in the judgment. On count two, the judgment reflects a conviction for homicide negligent manslaughter with a vehicle—DUI causing death to any human, rather than for DUI manslaughter. It is clear that Murphy was charged with, entered a plea to, and was sentenced for two counts of DUI manslaughter. In fact, with respect to both counts the judgment cites to the DUI manslaughter statute, section 316.193(3)(c)(3)(A), Florida Statutes (2004).

Thus, we affirm the convictions and sentences, but we remand for the correction of the written judgment to reflect the offense of DUI manslaughter for count two. See Green v. State, 956 So. 2d 1278 (Fla. 2d DCA 2007) (remanding for correction of scrivener's error in written judgment in an Anders appeal).

Affirmed and remanded with instructions.

NORTHCUTT, C.J., and VILLANTI, J., Concur.