

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

RICHARD WALLACE KIBURIS,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

Case No. 2D07-5853

Opinion filed October 14, 2009.

Appeal from the Circuit Court for Pasco
County; William R. Webb and Jack Day,
Judges.

James Marion Moorman, Public Defender,
and Richard J. Sanders, Assistant Public
Defender, Bartow, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Ha Thu Dao, Assistant
Attorney General, Tampa, for Appellee.

PER CURIAM.

Richard Wallace Kiburis appeals the revocation of his probation and
resulting prison sentence. We affirm the judgment and sentence but remand for entry of
a written order of revocation of probation.

When Mr. Kiburis attempted to correct the trial court's failure to render a

separate written order of revocation by filing a motion pursuant to Florida Rule of Criminal Procedure 3.800(b), the trial court denied relief stating that "collectively, the judgment and sentence constitutes [sic] a sufficient written order revoking probation to facilitate appellate review of the revocation." We do not agree. See Moschiano v. State, 12 So. 3d 922 (Fla. 2d DCA 2009); Dawkins v. State, 936 So. 2d 710 (Fla. 2d DCA 2006).

Affirmed; remanded with instructions.

CASANUEVA, C.J., and ALTENBERND and NORTHCUTT, JJ., Concur.