

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

KENNETH MICHAEL CORNS, )

Appellant, )

v. )

STATE OF FLORIDA, )

Appellee. )

Case No. 2D05-14

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Opinion filed July 8, 2005.

Appeal pursuant to Fla. R. App. P.  
9.141 (b)(2) from the Circuit Court for  
Manatee County; Peter A. Dubensky,  
Judge.

LaROSE, Judge.

Kenneth Michael Corns appeals the summary denial of his motion for postconviction relief filed pursuant to Florida Rules of Criminal Procedure 3.800 and 3.850. We affirm the denial of Corns' claims without comment and write only to correct a scrivener's error on the face of the written judgment in circuit court case number 99-1565F. Corns pleaded no contest to burglary of a dwelling, a second-degree felony. See § 810.02, Fla. Stat. (Supp. 1996). The

written judgment erroneously identifies burglary of a dwelling as a third-degree felony. Accordingly, we remand for the trial court to correct the written judgment to reflect that burglary of a dwelling is a second-degree felony.

Affirmed and remanded for correction.

CANADY and WALLACE, JJ., Concur.