

Third District Court of Appeal

State of Florida

Opinion filed June 19, 2019.
Not final until disposition of timely filed motion for rehearing.

No. 3D19-526
Lower Tribunal No. 93-14423

Ananias Westbrook,
Appellant,

vs.

The State of Florida,
Appellee.

An appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Alberto Milian, Judge.

Ananias Westbrook, in proper person.

Ashley Moody, Attorney General, and Linda Katz, Assistant Attorney General, for appellee.

Before FERNANDEZ, LOGUE, and MILLER, JJ.

PER CURIAM.

Appellant, Ananias Westbrook, challenges his sentence for armed robbery with a deadly weapon. We find no merit in the single issue raised by the appellant on appeal, thus we affirm. However, as the written judgment incorrectly lists armed robbery with a deadly weapon as a first-degree felony rather than a first-degree felony punishable by life imprisonment, we remand with instructions to correct this scrivener's error. See § 812.13(2)(a), Fla. Stat. (1993). The appellant need not be present for the correction. See, e.g., Cook v. State, 947 So. 2d 1207, 1207 (Fla. 1st DCA 2007).

Affirmed and remanded with instructions.