

Third District Court of Appeal

State of Florida

Opinion filed August 19, 2020.

No. 3D19-2008
Lower Tribunal No. 10-31072-A

British West,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Jose L. Fernandez, Judge.

Carlos J. Martinez, Public Defender, and Robert Kalter, Assistant Public Defender, for appellant.

Ashley Moody, Attorney General, and Michael W. Mervine, Assistant Attorney General, for appellee.

Before LOGUE, SCALES and LOBREE, JJ.

CONFESSION OF ERROR

PER CURIAM.

British West appeals his revocation of probation. The trial court orally found that he violated his probation by failing to remain at liberty without violating the law by committing the offenses of: burglary with an assault or battery and unlawful possession of a firearm while engaged in a criminal offense on July 29, 2016; armed kidnaping with an assault or battery and burglary with an assault or battery on July 7, 2016; and battery on a law enforcement officer. However, no written order of revocation appears in the record. “It is well-settled that a trial court must ‘reduce to writing its oral pronouncement of the violations and revocation of . . . probation.’” Henley v. State, 276 So. 3d 470, 470 (Fla. 3d DCA 2019) (quoting Mitchell v. State, 238 So. 3d 386, 386 (Fla. 3d DCA 2018)). Based on the State’s proper confession of error, we remand to the trial court to enter a written order of revocation noting the specific conditions of probation that West violated. West need not be present for the entry of the written order. See Henley, 276 So. 3d at 471.

Reversed and remanded with directions.