

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM, 2001

CHRISTOPHER MCDAVID,

**

Appellant,

**

vs.

**

CASE NO. 3D01-1045

THE STATE OF FLORIDA,

**

LOWER

Appellee.

**

TRIBUNAL NO. 97-3089

Opinion filed August 22, 2001.

An Appeal under Fla. R. App. P. 9.141(b)(2) from the Circuit Court for Dade County, Ronald Dresnick, Judge.

Christopher McDonald, in proper person.

Robert A. Butterworth, Attorney General.

Before JORGENSEN, GODERICH and SORONDO, JJ.

PARTIAL CONFESSION OF ERROR

PER CURIAM.

Pursuant to the State's partial confession of error, we reverse the defendant's sentence and remand for the limited

purpose of conforming the written sentence to the trial court's oral pronouncements. See State v. Jones, 753 So. 2d 1276, 1277 n.2 (Fla. 2000).

Further, the defendant's contention that he is entitled to resentencing under the 1994 guidelines, pursuant to Heggs v. State, 759 So. 2d 620 (Fla. 2000), lacks merit. A review of the record shows that the defendant entered into a voluntary plea for a specific term of imprisonment that is within the allowable 1994 guidelines range and that term was not conditioned upon the sentencing guidelines. See Heggs, 759 So. 2d at 627; Carmona v. State, 763 So. 2d 566 (Fla. 3d DCA), review dismissed, 776 So. 2d 274 (Fla. 2000).

Affirmed, in part; reversed, in part, and remanded with directions.