NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL

OF FLORIDA

THIRD DISTRICT

JULY TERM, A.D. 2001

D.L.F., a juvenile, ** Appellant, ** vs. ** CASE NO. 3D01-23 THE STATE OF FLORIDA, ** Appellee. **

Opinion filed September 19, 2001.

An Appeal from the Circuit Court for Miami-Dade County, Scott Bernstein, Judge.

Bennett H. Brummer, Public Defender, and Andrew Stanton, Assistant Public Defender, for appellant.

Robert A. Butterworth, Attorney General, and Michael Neimand (Ft. Lauderdale), Assistant Attorney General, and Marni A. Bryson, Legal Intern, for appellee.

Before SCHWARTZ, C.J., and LEVY and SHEVIN, JJ.

PER CURIAM.

We affirm the evidentiary ruling challenged on appeal. "It is axiomatic that failure to proffer what the excluded evidence would have revealed precludes appellate consideration of the alleged error." <u>A. McD. v. State</u>, 422 So. 2d 336, 337 (Fla. 3d DCA 1982); <u>Mosley v. State</u>, 616 So. 2d 1129 (Fla. 3d DCA 1993). However, on remand, the trial court shall conform the written community control order to reflect the oral pronouncement withholding adjudication.

Affirmed; remanded with instructions.