

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JANUARY TERM, A.D. 2004

ALEXI ANTONIO VELAZQUEZ,	**	
Appellant,	**	
vs.	**	CASE NO. 3D03-1192
THE STATE OF FLORIDA,	**	LOWER
Appellee.	**	TRIBUNAL NO. 02-9857

Opinion filed February 4, 2004.

An appeal under Fla.R.App.P. 9.141(b)(2) from the Circuit Court for Miami-Dade County, David C. Miller, Judge.

Bennett H. Brummer, Public Defender and Robert Godfrey, Assistant Public Defender, for appellant.

Charles J. Crist, Jr., Attorney General and Richard L. Polin, Assistant Public Defender, for appellee.

Before SCHWARTZ, C.J., and GREEN and SHEPHERD, JJ.

CONFESSION OF ERROR

PER CURIAM.

Upon the State's proper confession of error that Velazquez's restitution should be reduced from \$ 1,860 to \$1,828 to conform to the terms of Velazquez's plea agreement, we remand with instructions to reduce restitution accordingly. See Garcia v. State, 722 So. 2d 905, 907 (Fla. 3d DCA 1998) ("A plea agreement is a contract and the rules of contract law apply to plea agreements."); State v. Frazier, 697 So. 2d 944, 945 (Fla. 3d DCA 1997) ("[T]he state, above all parties, must keep its word."). We otherwise affirm the order revoking and modifying the terms of Velazquez's probation.

Affirmed in part, remanded with instructions.