NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

KELCEY JEREL WILLIAMS, Appellant, v. STATE OF FLORIDA, Appellee.	)	Case No. 2D14-3282

Opinion filed May 27, 2015.

Appeal from the Circuit Court for Hillsborough County; Kimberly K. Fernandez and Daniel L. Perry, Judges.

Howard L. Dimmig, II, Public Defender, and Lisa Lott, Assistant Public Defender, Bartow, for Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, for Appellee.

CASANUEVA, Judge.

Based upon our independent review pursuant to Anders v. California, 386 U.S. 738 (1967), we affirm Kelcey Jerel Williams' judgment, sentence, and revocation of probation without further comment. However, we remand with directions to correct a scrivener's error that appears in both the judgment and the order of revocation of probation.

Mr. Williams was charged with burglary of an occupied conveyance and petit theft. He pleaded guilty to a lesser charge of attempted burglary of an occupied conveyance, the petit theft charge was nolle prossed, and Mr. Williams was sentenced to twenty-four months' probation on January 8, 2014.

On June 19, 2014, Mr. Williams admitted to violating his probation. The trial court revoked Mr. Williams' probation and sentenced him to eighteen months in prison. The judgment and order of revocation of probation, however, list the charge as burglary of an occupied conveyance, a second-degree felony, see § 810.02(3)(d), Fla. Stat. (2013), not attempted burglary of an occupied conveyance, a third-degree felony, see §§ 810.02(3)(d), 777.04(4)(d), Fla. Stat. (2013).[1] Accordingly, we affirm but remand for correction of the judgment and order of revocation of probation to reflect the correct crime–attempted burglary of an occupied conveyance, a third-degree felony.

Affirmed and remanded with directions.

ALTENBERND and KHOUZAM, JJ., Concur.

[1]The sentencing scoresheet properly lists the offense as attempted burglary of an occupied conveyance, a third-degree felony.