

FIFTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA

Case No. 5D2024-0935
LT Case No. 2019-CF-9594-A

KELLIN MILBURN KLEIN,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Duval County.
London M. Kite, Judge.

Matthew J. Metz, Public Defender, and Allison A. Havens,
Assistant Public Defender, Daytona Beach, for Appellant.

James Uthmeier, Attorney General, and Ryan Roy, Assistant
Attorney General, Tallahassee, for Appellee.

March 7, 2025

PRATT, J.

Having found no reversible error apparent on the face of the record, we affirm this *Anders** appeal. In particular, we conclude that competent, substantial evidence supported the trial court's

* *Anders v. California*, 386 U.S. 738 (1967).

determination that Appellant willfully and substantially violated conditions of his probation, *see Knight v. State*, 187 So. 3d 307, 310 (Fla. 5th DCA 2016), and the trial court did not err in revoking Appellant’s probation and sentencing him to fifteen years in prison. However, we remand for the trial court to correct its written “Order Revoking Probation.” At the conclusion of the violation of probation hearing, the court found that Appellant had violated condition five and special condition sixteen but had not violated condition two and special condition six. The written order, however, stated that Appellant violated all four conditions. The oral pronouncement controls, and we will remand for the trial court to conform the written order to its oral pronouncement. *See Hardy v. State*, 301 So. 3d 1127, 1127 (Fla. 5th DCA 2020).

AFFIRMED; REMANDED with instructions.

LAMBERT and HARRIS, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.
