

FIFTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA

Case No. 5D2025-3361
LT Case No. 05-2025-CF-019008-A

CLIFTON CINAMON,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Brevard County.
Stephen George Henderson, Judge.

Matthew J. Metz, Public Defender, and William E. Partington,
III, Assistant Public Defender, Daytona Beach, for Appellant.

James Uthmeier, Attorney General, Tallahassee, and Kurt T.
Koehler, Assistant Attorney General, Daytona Beach, for
Appellee.

April 24, 2026

PER CURIAM.

We affirm this *Anders*¹ appeal in all respects but remand with instructions to correct a scrivener's error in the written sentence. The trial court revoked Appellant's community control and sentenced him to serve 56.7 months in the Department of

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

Corrections, but the written sentence incorrectly reflects a prison term of 56.7~~5~~0 months. Because a “court’s oral pronouncement controls over the written sentence,” we remand for the court to correct the scrivener’s error in the written sentence. *Bennett v. State*, 418 So. 3d 813, 813 (Fla. 5th DCA 2025); see *Walker v. State*, 393 So. 3d 274, 275 (Fla. 5th DCA 2024) (“It is well-settled law that the oral pronouncement of the sentence controls over a written order or sentence that differs.”); *Crenshaw v. State*, 338 So. 3d 425, 425 (Fla. 5th DCA 2022) (affirming *Anders* appeal but remanding to correct a scrivener’s error imposing a ten-year minimum-mandatory sentence, which conflicted with the oral pronouncement of three years). Correction of this error is a ministerial act, so Appellant need not be present. See *Crenshaw*, 338 So. 3d at 425.

AFFIRMED and REMANDED for entry of a corrected order.

WALLIS, KILBANE, and MACIVER, JJ., concur.

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