

**SIXTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA**

Case No. 6D2023-3633
Lower Tribunal No. 2014 CF 3243 A O

ROBERT ALLAN DZIEKAN, JR.,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

Appeal from the Circuit Court for Orange County.
Diego M. Madrigal, III, Judge.

November 21, 2025

SMITH, J.

In this *Anders*¹ case, Robert Allan Dziekan, Jr., appeals from his judgment and sentence after his probation was revoked. We affirm in all respects with the exception of remanding for correction of a scrivener's error in the fine amount, which Dziekan brought to the trial court's attention via motion to correct sentencing error. *See* Fla. R. Crim. P. 3.800(b)(2); *Rowan v. State*, 396 So. 3d 634, 635 (Fla. 6th DCA 2024). The State concedes that the written order incorrectly reflects a fine

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

amount of \$25,000, when the amount orally imposed by the lower court at the hearing was \$20,000. We remand on this point for the lower court to correct this error. *See Rowan*, 396 So. 3d at 635. Dziekan need not be present for this ministerial act. *See Bryant v. State*, 301 So. 3d 352, 353 (Fla. 2d DCA 2020) (holding defendant need not be present for correction of a scrivener's error).

AFFIRMED and REMANDED with instructions.

TRAVER, C.J., and WOZNIAK, J., concur.

Blair Allen, Public Defender, and Richard J. Sanders, Assistant Public Defender, Bartow, for Appellant.

Robert Allan Dziekan, Jr., Florida City, pro se.

James Uthmeier, Attorney General, Tallahassee, and Whitney Brown Hartless and Daniel P. Caldwell, Assistant Attorneys General, Daytona Beach, for Appellee.

NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING
AND DISPOSITION THEREOF IF FILED