

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

Case No. 6D2024-1955
Lower Tribunal No. 1996-CF-316

KENNETH BALDWIN,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

Appeal pursuant to Fla. R. App. P. 9.141(b)(2) from the Circuit Court for Charlotte County.
Lisa Porter, Judge.

July 24, 2026

WOZNIAK, J.

We affirm the trial court's order denying Appellant's amended motion to correct sentence without prejudice to Appellant's filing a Florida Rule of Criminal Procedure 3.800(a) motion in the trial court to correct the scrivener's error mistakenly referencing the entry of a no contest plea to Count II. *See Freeman v. State*, 415 So. 3d 923, 923 (Fla. 6th DCA 2025) ("We decline to reach the merits of Freeman's additional claim that the revocation order contains a scrivener's error because that claim is not preserved for our review and does not constitute fundamental error." (citing *Thomas v. State*, 725 So. 2d 1148, 1149 (Fla. 2d DCA

1998)))"; *Jones v. State*, 413 So. 3d 839, 839-40 (Fla. 6th DCA 2024) (finding scrivener's error issue preserved because it was first raised via a rule 3.800(b) motion).

AFFIRMED without prejudice.

MIZE and GANNAM, JJ., concur.

Kenneth Baldwin, Bushnell, pro se.

James Uthmeier, Attorney General, Tallahassee, and Wendy Buffington, Senior Assistant Attorney General, and David Campbell, Assistant Attorney General, Tampa, for Appellee.

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