

Third District Court of Appeal

State of Florida, January Term, A.D. 2009

Opinion filed March 11, 2009.

Not final until disposition of timely filed motion for rehearing.

No. 3D07-1617

Lower Tribunal Nos. 03-15874;02-23278; 02-23074; 01-32290

Nelson Viera,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Bertila Soto,
Judge.

Carlos J. Martinez, Public Defender, and Colleen Brady Ward and Andrew
Stanton, Assistant Public Defenders, for appellant.

Bill McCollum, Attorney General, and Nicholas Merlin, Assistant Attorney
General, for appellee.

Before GERSTEN, C.J., and COPE and SALTER, JJ.

PER CURIAM.

We affirm the order revoking Viera's probation for new law violations, a violation of condition K-4 of his order of probation. On the State's concession of error, however, we remand so that unproven technical probation violations can be deleted from the written sentence. The oral pronouncement correctly states the trial court's ruling. The defendant's presence is not required for this ministerial correction.

Affirmed, but remanded for entry of a corrected revocation order.