

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

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

RICKY VIVEIROS,

Appellant,

v.

Case No. 5D17-3496

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed September 14, 2018

Appeal from the Circuit Court
for Orange County,
Kimberly M. Shepard, Judge.

James S. Purdy, Public Defender, and
Andrew Mich, Assistant Public Defender,
Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Marjorie Vincent-Tripp,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

We affirm, without further discussion, Ricky Viveiros's judgment and sentence imposed in this case. However, we remand for the trial court to enter a written order to specifically reflect the conditions of violation that the trial court orally announced. See Lewis v. State, 8 So. 3d 370, 371 (Fla. 5th DCA 2009); Payne v. State, 920 So. 2d 742, 743 (Fla. 5th DCA 2006). Further, the record reflects two condition 5 violations but the

State only proceeded on one condition 5 violation. On remand, the written order should only reflect the violation for disorderly intoxication. See Kemp v. State, 135 So. 3d 347, 347-48 (Fla. 1st DCA 2013).

AFFIRMED and REMANDED with Instructions.

ORFINGER, BERGER and EISNAUGLE, JJ., concur.