

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

DONALD JAMES KELLY,

Appellant,

v.

Case No. 5D18-1841

STATE OF FLORIDA,

Appellee.

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Opinion filed March 22, 2019

Appeal from the Circuit Court  
for St. Johns County,  
Howard M. Maltz, Judge.

James S. Purdy, Public Defender, and  
David M. Dixon, Assistant Public Defender,  
Daytona Beach, for Appellant.

Donald James Kelly, Bristol, pro se.

Ashley Moody, Attorney General,  
Tallahassee, and L. Charlene Matthews,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

We affirm the judgment and sentence rendered against Donald James Kelly after he pled guilty to aggravated assault with intent to commit a felony in violation of section 784.021(1)(b), Florida Statutes (2017). However, we remand for correction of a

scrivener's error in the judgment, which erroneously cites to section 784.021(1)(a), corresponding to aggravated assault with a deadly weapon without intent to kill.

AFFIRMED; REMANDED for correction of scrivener's error.

EDWARDS, EISNAUGLE, and SASSO, JJ., concur.