

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

APPELLATE DIVISION (CRIMINAL): AC

CASE NO.: 502019AP000056AXXXMB

L.T. NO.: 502019MM001135AXXXMB

CASE NO.: 502019AP000057AXXXMB

L.T. NO.: 502019MM001367AXXXMB

AMANDA LEAH TEIXEIRA,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

Opinion filed: April 8, 2020

Appeal from the County Court in and for Palm Beach County,
Judge Debra Moses Stephens.

For Appellant: Benjamin Eisenberg, Esq.
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PER CURIAM.

Appellant, Amanda Teixeira, appeals her judgment and sentence for one count of “Battery (Domestic)” in case number 50-2019-MM-001135-AXXX-MB, and one count of “Battery (Domestic)” and one count of possession of drug paraphernalia in case number 50-2019-MM-001367-AXXX-MB. On appeal, Appellant argues that the trial court erroneously found Appellant

violated two conditions of her plea and pass agreement with the State. She also argues that she was convicted of a non-existent crime. We hold that Appellant's challenge to the trial court's plea and pass agreement findings lacks merit and affirm without further comment. However, Appellant is correct that there is no crime in the State of Florida by the name of "Battery (Domestic)," a fact conceded by the State. *See Narinesingh v. State*, 27 Fla. L. Weekly Supp. 230a (Fla. 15th Cir. Ct. Apr. 22, 2019). Accordingly, we **REMAND** for the trial court to correct the judgment to reflect the existing crime of battery instead of "Battery (Domestic)." We **AFFIRM** in all other respects. CARACUZZO, GILLEN, and G. KEYSER, JJ., concur.

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AMANDA LEAH TEIXEIRA,
Appellant,

Opinion/Decision filed: April 8, 2020

v.

Appeal from County Court in and for
Palm Beach County, Florida;
Judge Debra Moses Stephens.

STATE OF FLORIDA,
Appellee.

Appealed: April 12, 2019

_____/

DATE OF PANEL: MARCH 12, 2020

PANEL JUDGES: CARACUZZO, GILLEN, G. KEYSER

AFFIRMED/REVERSED/OTHER: AFFIRMED WITH INSTRUCTIONS

PER CURIAM OPINION/DECISION BY: PER CURIAM

CONCURRING:	)	DISSENTING:	)	CONCURRING SPECIALLY:)
	)	With/Without Opinion	)	With/Without Opinion)
)))
<u>/s/ Cheryl Caracuzzo</u>)	_____)	_____)
DATE: J.	)	J.	)	J.)
)))
<u>/s/ Jeffrey Gillen</u>)	_____)	_____)
DATE: J.	)	J.	)	J.)
)))
<u>/s/ Gregory Keyser</u>)	_____)	_____)
DATE: J.	)	J.	)	J.)