

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

TRAVIS A. MCKINNEY,  
Appellant,

v.

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

CASE NO. 1D08-5443

STATE OF FLORIDA,  
Appellee.

/

Opinion filed July 13, 2010.

An appeal from the Circuit Court for Wakulla County.  
N. Sanders Sauls, Judge.

Nancy A. Daniels, Public Defender, and Joel Arnold, Assistant Public Defender, Tallahassee, for Appellant.

Bill McCollum, Attorney General, and Christine Ann Guard, Assistant Attorney General, Tallahassee, for Appellee.

PER CURIAM.

Appellant challenges an order revoking his probation.\* The State correctly concedes the trial court failed to conduct an appropriate inquiry pursuant to Fareta

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\* We note the trial court found appellant guilty of violating probation, although the charging document alleged appellant violated the conditions of his community control. In light of our decision, there is no need to address this discrepancy.

v. California, 422 U.S. 806 (1975). We, therefore, reverse the order revoking probation and remand to the trial court for further proceedings.

WOLF, KAHN, and ROBERTS, JJ., CONCUR.