

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

MICHAEL SIMMONS,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D06-5958

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Opinion filed October 10, 2007.

An appeal from the Circuit Court for Duval County.  
Mallory D. Cooper, Judge.

Nancy A. Daniels, Public Defender, and Richard M. Summa, Assistant Public  
Defender, Tallahassee, for Appellant.

Bill McCollum, Attorney General, and Joshua R. Heller and Bryan Jordan, Assistant  
Attorneys General, Tallahassee, for Appellee.

PER CURIAM.

In this direct appeal, Appellant argues that the trial court erred in revoking his  
probation based upon new law violations that were not charged in the affidavit of  
violation of probation. However, Appellant neither lodged contemporaneous

objection to the revocation nor filed a Florida Rule of Criminal Procedure 3.800(b) motion to preserve this error for appeal. Brannon v. State, 850 So. 2d 452, 456 (Fla. 2003) (holding that all sentencing errors must be preserved); Jones v. State, 876 So. 2d 642, 644-45 (Fla. 1st DCA 2004) (holding that revocation of probation is merely an extension of a sentencing proceeding). Therefore, we affirm the trial court's revocation of Appellant's probation.

AFFIRMED.

ALLEN, DAVIS, and BENTON, JJ., CONCUR.