# CAPTION: STATE V. FARMER

**02-02-24**

APPEAL NO: C-230372

TRIAL NO: B-2205209

KEY WORDS: SEX OFFENSES – SENTENCING – TIER CLASSIFICATION – NUNC PRO TUNC

SUMMARY:

Where, at defendant’s first sentencing hearing, before entering his pleas, the trial court informed defendant that he would be classified as a Tier III sex offender and notified him of his registrations duties, defendant indicated that he understood those duties, and defendant signed the notification-of-duties-to-register form; and at a second sentencing hearing, the trial court declared that defendant was a Tier III offender after ensuring that defendant understood that he was still classified as a Tier III offender and there were no objections to this procedure; and the tier classification was inadvertently omitted from the second sentencing entry, the cause must be remanded for the trial court to correct the sentencing entry by a nunc pro tunc order to include the Tier III classification.

JUDGMENT: REVERSED AND CAUSE REMANDED

JUDGES: OPINION by BOCK, P.J.; CROUSE and KINSLEY, JJ., CONCUR.