

[DO NOT PUBLISH]

In the
United States Court of Appeals
For the Eleventh Circuit

No. 22-10372

Non-Argument Calendar

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

DARYL CARLISLE STOKLEY,

Defendant- Appellant.

Appeal from the United States District Court
for the Middle District of Florida
D.C. Docket No. 3:15-cr-00010-MMH-MCR-1

Before ROSENBAUM, LUCK, and LAGOA, Circuit Judges.

PER CURIAM:

Daryl Stokley appeals after the district court revoked his supervised release for a child-pornography offense and ordered him to serve twelve months in prison and an additional eight years on supervised release. In ordering the new term of supervised release, the district court orally imposed a condition prohibiting Stokley from “viewing or possessing adult pornography, so long as he is under the treatment of a mental health care provider for sex offender treatment and so long as it is [contra]indicated for his treatment.” The written judgment, however, simply barred Stokley from “viewing or possessing adult pornography” without qualification.

Stokley argues, and the government agrees, that the written condition is broader than, and unambiguously conflicts with, the oral condition imposed during the revocation hearing. “When a sentence pronounced orally and unambiguously conflicts with the written order of judgment, the oral pronouncement governs.” *United States v. Bates*, 213 F.3d 1336, 1340 (11th Cir. 2000). In the case of such a conflict, we will issue a limited remand instructing the court “to enter an amended judgment that conforms to its oral pronouncement.” *United States v. Chavez*, 204 F.3d 1305, 1316 (11th Cir. 2000).

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Opinion of the Court

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We agree with the parties that the written judgment “unambiguously conflict[ed] with” the district court’s oral pronouncement of the sentence as to the condition of supervised release related to viewing and possessing adult pornography. Because the oral pronouncement controls, we vacate and remand for the limited purpose of entering an amended judgment that matches the oral pronouncement.

VACATED and **REMANDED** with instructions to amend the written judgment.