

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2009

JENNIFER M. MILTON,

Appellant,

v.

Case No. 5D08-2344

STATE OF FLORIDA,

Appellee.

/

Opinion filed June 5, 2009

Appeal from the Circuit Court
for Marion County,
Hale R. Stancil, Judge.

James S. Purdy, Public Defender, and
David S. Morgan, Assistant Public
Defender, Daytona Beach, for Appellant.

Charles J. Crist, Jr., Attorney General,
Tallahassee, and Jeffrey R. Casey,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

In this *Anders* appeal,¹ the public defender lien must be stricken as Appellant was not advised of her right to object to the amount of the lien. See *Bruno v. State*, 960 So. 2d 907 (Fla. 2d DCA 2007); *Wines v. State*, 690 So. 2d 684 (Fla. 5th DCA 1997);

¹ See *Anders v. California*, 386 U.S. 738 (1967).

Nieves v. State, 678 So. 2d 468 (Fla. 5th DCA 1996).² On remand, the lien may be reimposed by the court after complying with Florida Rule of Criminal Procedure 3.720(d)(1). In all other respects, the judgment and sentence are affirmed.

AFFIRMED; REMANDED TO STRIKE LIEN.

PALMER, C.J., TORPY and LAWSON, JJ., concur.

² This issue was raised in a motion to correct sentencing error pursuant to Florida Rule of Criminal Procedure 3.800(b)(2), and the trial court failed to rule on the motion within 60 days of the filing date.