

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

JANUARY TERM 2009

LORANZIA OUTIN, III,

Appellant,

v.

CASE NO. 5D08-2643

STATE OF FLORIDA,

Appellee.

/

Opinion filed July 2, 2009.

Appeal from the Circuit Court
for St. Johns County,
Wendy Berger, Judge.

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

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

PER CURIAM.

In this *Anders*¹ appeal, we affirm Appellant's judgment and sentence, but reduce the trial court's assessment of \$350 for "Cost of Prosecution" against Appellant to the \$100 statutory minimum that is required by section 938.27, Florida Statutes (2008). We find that in the context of this case, the trial court's decision to reimpose the \$250, now

¹ See *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967).

stricken, was undertaken without the necessary statutory authority supporting the additional assessment.

AFFIRMED IN PART and REVERSED IN PART.

MONACO, C.J., GRIFFIN, J., and COBB, W., Senior Judge, concur.