

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

JULY TERM 2009

S.D.J., A CHILD,

Appellant,

v.

CASE NO. 5D09-1287

STATE OF FLORIDA,

Appellee.

/

Opinion filed November 6, 2009

Appeal from the Circuit Court
for Orange County,
C. Jeffery Arnold, Judge.

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

Bill McCollum, Attorney General,
Tallahassee, and Carlos A. Ivanor, Jr.,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

In this appeal from a juvenile disposition, the State concedes that the trial court erred by assessing costs of prosecution. See *D.A. v. State*, 11 So. 3d 423 (Fla. 4th DCA 2009) (holding that section 938.27(1), Florida Statutes, does not authorize courts to impose costs of prosecution on a juvenile adjudicated delinquent). Accordingly, we

remand with directions that these costs be stricken. In all other respects, the adjudication of delinquency and disposition are affirmed.

AFFIRMED IN PART, REVERSED IN PART AND REMANDED WITH DIRECTIONS.

MONACO, C.J., LAWSON and JACOBUS, JJ., concur.