

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

JANUARY TERM 2010

F.W., A CHILD,

Appellant,

v.

Case No. 5D09-2138

STATE OF FLORIDA,

Appellee.

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Opinion filed March 5, 2010

Appeal from the Circuit Court
for Orange County,
Alan S. Apte, Judge.

James S. Purdy, Public Defender, and
Leonard R. Ross, Assistant Public
Defender, Daytona Beach, for Appellant.

Bill McCollum, Attorney General,
Tallahassee, and Carmen F. Corrente,
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 S.D.J. v. State, 21 So. 3d 140 (Fla. 5th DCA 2009); 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 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.

SAWAYA, ORFINGER and TORPY, JJ., concur.