

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

JANUARY TERM 2013

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

TODD MILLER,

Appellant,

v.

Case No. 5D12-1661

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed February 1, 2013

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

Todd H. Miller, Bushnell, pro se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Douglas T. Squire,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

Appellant challenges the lower court's order removing a court-ordered lien on his inmate trust account but denying his request for reimbursement of funds used from the account to pay court costs and fines. The State properly concedes error. See *Wilcox v. State*, 79 So. 3d 878, 878-79 (Fla. 5th DCA 2012) (holding that no statutory basis exists to impose lien on inmate trust account for court costs and fines); *Araujo-Espichan v. State*, 62 So. 3d 683, 684 (Fla. 5th DCA 2011) (reversing judgment that improperly

placed lien on inmate's account and instructing lower court to reimburse funds removed from account).

Accordingly, we REVERSE and REMAND, with instructions that the State be ordered to reimburse Appellant for the \$883 improperly removed from his account pursuant to the lien order.

REVERSED and REMANDED.

SAWAYA, TORPY and JACOBUS, JJ., concur.