

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2010*

**J.Z.**, a Child,  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D09-1160

[November 10, 2010]

PER CURIAM.

A juvenile appeals the finding of guilt on a domestic violence battery charge, the withholding of adjudication and placement on probation, and the award of costs. He argues that the trial court erred in denying his motions for judgment of dismissal and in awarding court costs when adjudication was withheld. We affirm the finding of guilt, and the withholding of adjudication and placement on probation, but reverse the award of costs.

As the State acknowledges, section 775.083(2), Florida Statutes (2008), provides for the assessment of court costs when a juvenile is adjudicated delinquent. Here, the trial court withheld adjudication of delinquency. The award of court costs must therefore be reversed. *J.C. v. State*, 32 So. 3d 196 (Fla. 4th DCA 2010).

*Affirmed in part and Reversed in part.*

MAY, DAMOORGIAN and GERBER, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Moses Baker, Jr., Judge; L.T. Case No. 08CJ006553AMB.

Carey Haughwout, Public Defender, and Patrick B. Burke, Assistant Public Defender, West Palm Beach, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Mitchell A. Egber, Assistant Attorney General, West Palm Beach, for appellee.

***Not final until disposition of timely filed motion for rehearing.***