

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

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

MICHAEL J. WAPPLER,

Appellant,

v.

Case No. 5D19-1285

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed March 27, 2020

Appeal from the Circuit Court
for Brevard County,
Lisa Davidson, Judge.

Michael J. Wappler, Jasper, pro se.

James S. Purdy, Public Defender,
and Ailene S. Rogers, Assistant
Public Defender, Daytona Beach, for
Appellant.

Ashley Moody, Attorney General,
Tallahassee, and Allison L. Morris,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

We affirm Michael J. Wappler's judgment and sentence. However, we remand for
the trial court to strike the \$3 cost assessed pursuant to section 318.18(11)(b), Florida

Statutes (2018), as Wappler was not charged with a traffic infraction. See *Sorenson v. State*, 45 Fla. L. Weekly D412 (Fla. 5th DCA Feb. 21, 2020).

AFFIRMED; REMANDED WITH INSTRUCTIONS.

EVANDER, C.J., EISNAUGLE and SASSO, JJ., concur.