

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

ABRAHAM JOSEPH LOVETT,

Appellant,

v.

Case No. 5D19-2051

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed October 9, 2020

Appeal from the Circuit Court
for Orange County,
Denise Kim Beamer, Judge.

James S. Purdy, Public Defender, and Ali L.
Hansen, Assistant Public Defender,
Daytona Beach, for Appellant.

Ashley Moody, Attorney General,
Tallahassee, and Douglas T. Squire,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

Appellant challenges the costs of investigation and certain court costs that were imposed on him by the trial court as part of his sentence after being convicted at trial for

sexual activity with a child while in a position of familial or custodial authority.¹ We reverse.

Appellant argues, and the State concedes, that the investigative costs should be stricken. We accept the State's concession, and remand for the trial court to strike the investigative costs from its court cost order and to vacate its separate order entered for reimbursement of investigative costs.

Appellant's second argument is that although the trial court granted his Florida Rule of Criminal Procedure 3.800(b)(2) motion to strike \$73 from the \$418 in court costs initially imposed, the amended court cost order subsequently entered still assessed the original \$418 in court costs. Appellant is correct. On remand, the trial court shall enter a second amended court cost order showing the sum of \$345 assessed as court costs, together with the applicable statutory citations supporting this amount.

REVERSED and REMANDED with directions.

EVANDER, C.J., COHEN and LAMBERT, JJ., concur.

¹ Appellant has not contested his conviction or the incarcerative aspects of his sentence.