

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

BRITTANY SCHRAGER,

Appellant,

v.

Case No. 5D21-15
LT Case Nos. 2020-AP-10
2020-MM-915
2020-MM-913
2020-MM-914

STATE OF FLORIDA,

Appellee.

Opinion filed December 10, 2021

Appeal from the County Court
for Hernando County,
Kristie Healis, Judge.

Matthew J. Metz, Public Defender,
and Nancy Ryan, Assistant Public
Defender, Daytona Beach, for
Appellant.

Ashley Moody, Attorney General,
Tallahassee, and Richard Alexander
Pallas, Jr., Assistant Attorney
General, Daytona Beach, for
Appellee.

PER CURIAM.

Brittany Schragger appeals her sentences in three county court cases in which she was convicted, in each case, of one count of petit theft. She raises two errors. First, she correctly asserts that the written sentencing orders in each case include a discretionary \$120.95 fine and a \$6.05 surcharge that were not orally pronounced. Because the reimposition of the fine and surcharges would result in a greater financial obligation than orally pronounced, we direct the trial court, on remand, to strike the discretionary fines and surcharges.

Second, Schragger correctly asserts that the trial court imposed \$100 costs of prosecution in each case rather than the \$50 statutory minimum costs of prosecution, even though the State did not request, and the Court did not announce, the greater amount. In its answer brief, the State agrees that upon remand, the trial court should impose \$50 costs of prosecution in each case. On remand, the trial court is directed to reduce the costs of prosecution in each case to \$50. Schragger does not need to be present for the resentencing.

REVERSED AND REMANDED.

EVANDER, EISNAUGLE and SASSO, JJ., concur.