

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

RICHARD KEITH WASDEN,

Appellant,

v.

Case No. 5D21-2649
LT Case No. 21-CF-000050-A

STATE OF FLORIDA,

Appellee.

Opinion filed July 8, 2022

Appeal from the Circuit Court
for Citrus County,
Richard A. Howard, Judge.

Matthew J. Metz, Public Defender, and
Scott G. Hubbard, Assistant Public
Defender, Daytona Beach, for Appellant.

Ashley Moody, Attorney General,
Tallahassee, and Whitney Brown Hartless,
Assistant Attorney General, Daytona
Beach, for Appellee.

WALLIS, J.

In this Anders¹ appeal, we affirm the judgment and sentence entered following Appellant's open plea to violating his probation with two exceptions. First, none of the written documents from the trial court identify the conditions of probation that Appellant was found to have violated. Second, the trial court imposed \$150 that was identified as "Prosecution/Investigation Costs." However, the record does not reflect that the State asked for a higher cost of prosecution or for costs of investigation. Absent a specific request from the State, the maximum permissible cost for a felony prosecution is \$100. § 938.27(8), Fla. Stat. (2021). We therefore affirm but remand with instructions for the trial court to enter a written order specifying the violated conditions and to correct the order to reduce the cost of prosecution to \$100. See Berg v. State, 313 So. 3d 930 (Fla. 5th DCA 2021); Crichton v. State, 299 So. 3d 616 (Fla. 5th DCA 2020).

AFFIRMED; REMANDED with Instructions.

EISNAUGLE and SASSO, JJ., concur.

¹ Anders v. California, 386 U.S. 738 (1967).