

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

JULY TERM 2006

M.D.J., A CHILD,

Appellant,

v.

Case No. 5D05-3330

STATE OF FLORIDA,

Appellee.

\_\_\_\_\_ /

Opinion filed September 1, 2006

Appeal from the Circuit Court  
for Orange County,  
Anthony H. Johnson, Judge.

James S. Purdy, Public Defender, and  
Rose M. Levering, Assistant Public  
Defender, Daytona Beach, for Appellant.

Charles J. Crist, Jr., Attorney General,  
Tallahassee, and Carmen F. Corrente,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

We strike the assessment of the fine set forth in section 939.185, Florida Statutes (2005), as it has no application in juvenile proceedings. See V.K.E. v. State, 31 Fla. L. Weekly S505 (Fla. July 6, 2006). We affirm the trial court's order denying suppression of M.D.J.'s statement to law enforcement as we agree that M.D.J. was not the subject of a custodial interrogation.

AFFIRMED; FINE STRICKEN.

SAWAYA, ORFINGER and TORPY, JJ., concur.