

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

D.J., A CHILD,  
  
Appellant,

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

v.

CASE NO. 1D06-5235

STATE OF FLORIDA,

Appellee.

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Opinion filed May 4, 2007.

An appeal from the Circuit Court for Duval County.  
Aaron K. Bowden, Judge.

Nancy A. Daniels, Public Defender, and M.J. Lord, Assistant Public Defender,  
Tallahassee, for Appellant.

Bill McCollum, Attorney General, and Anne C. Conley, Assistant Attorney  
General, Tallahassee, for Appellee.

PER CURIAM.

In this juvenile delinquency appeal, the appellant challenges an order committing him to a high-risk residential placement. We agree with the appellant that the trial court erred in sentencing him to a more restrictive level of commitment than

the minimum-risk non-residential program recommended by the Department of Juvenile Justice (Department). The trial court failed to reference the restrictiveness level vis-a-vis the needs of the appellant or explain why it came to a different conclusion than that of the Department. See A.C.N. v. State, 727 So. 2d 368, 370 (Fla. 1st DCA 1999).

REVERSED and REMANDED.

ALLEN, WEBSTER, and ROBERTS, JJ., CONCUR.