

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

JON ASHLEY MOINETTE,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D15-5559

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Opinion filed March 27, 2017.

An appeal from the Circuit Court for Duval County.  
Mark Hulsey, Judge.

Nancy A. Daniels, Public Defender, and David A. Henson, Assistant Public  
Defender, Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, and Sharon S. Traxler, Assistant Attorney  
General, Tallahassee, for Appellee.

PER CURIAM.

In this appeal, Appellant challenges the trial court's imposition of discretionary fines, a surcharge, and a \$100 "Sheriff's Office Investigative Cost" fee. Appellant additionally challenges his drug offender probation sentence; as to this issue, we affirm. Regarding the first issue, the State concedes error; we therefore reverse and remand with instructions.

First, because the discretionary fines and surcharge were not specifically pronounced at the sentencing hearing, the trial court on remand “may reimpose the fine and surcharge after providing notice to Appellant and following the proper procedure.” Nix v. State, 84 So. 3d 424, 426 (Fla. 1st DCA 2012). Second, because the State did not request “Sheriff’s Office Investigative Cost” on the record at the sentencing hearing, we reverse and remand with instructions for the trial court to strike and not reimpose the fee. Vaughn v. State, 65 So. 3d 138, 139 (Fla. 1st DCA 2011) (“The investigatory costs were not announced at sentencing and there is no record evidence that they were requested or documented by the state. Thus, these costs should be stricken. . . . On remand, the state may not seek to reimpose these costs because the record does not demonstrate that the state requested these costs.”).

REVERSE and REMAND.

WETHERELL, MAKAR, and KELSEY, JJ., CONCUR.