

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2012*

**V.F.**, a Child,  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D11-4363

[August 1, 2012]

PER CURIAM.

V.F., a juvenile, appeals the trial court's imposition of a mandatory fifteen days in a secure detention facility pursuant to section 790.22(9), Florida Statutes (2011). In *B.O. v. State*, 25 So. 3d 586 (Fla. 4th DCA 2009), we held that it was error to impose the section 790.22(9) sentencing enhancement based on a guilty plea to grand theft of a firearm where the juvenile petition neither cited the statute nor alleged that, in committing the theft, the child used or possessed a firearm. As in *B.O.*, the trial court here imposed a fifteen-day mandatory period of detention based on appellant's plea of no contest to grand theft of a firearm. The grand theft charge in the juvenile petition here, however, suffered the same deficiency as in *B.O.* As such, we reverse the imposition of the mandatory fifteen-day minimum detention.

*Reversed.*

STEVENSON, CIKLIN, JJ., and WALSH, LISA S., Associate Judge, concur.

\* \* \*

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, Indian River County; Robert A. Hawley, Judge; L.T. Case No. 312011CJ000474A.

Carey Haughwout, Public Defender, and Patrick B. Burke, Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Don M. Rogers, Assistant Attorney General, West Palm Beach, for appellee.

***Not final until disposition of timely filed motion for rehearing.***