

Third District Court of Appeal

State of Florida

Opinion filed August 28, 2019.

Not final until disposition of timely filed motion for rehearing.

No. 3D19-442

Lower Tribunal No. 18-2129

C.M., a juvenile,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Yery Marrero,
Judge.

Carlos J. Martinez, Public Defender, and Maria E. Lauredo, Chief Assistant
Public Defender, for appellant.

Ashley Moody, Attorney General, and Sandra Lipman, Assistant Attorney
General, for appellee.

Before EMAS, C.J., and SCALES and LOBREE, JJ.

PER CURIAM.

We affirm the trial court’s order without prejudice to C.M. filing with the trial court a motion to correct disposition order pursuant to Florida Rule of Juvenile Procedure 8.135. Compare B.F.H. v. State, 207 So. 3d 374 (Fla. 2d DCA 2016) (declining to reach issue of whether there was an inconsistency between the oral pronouncement and the written order where the juvenile “neglected to preserve the issue for appeal by filing a motion to correct disposition order” under rule 8.135); M.N. v. State, 16 So. 3d 280 (Fla. 2d DCA 2009), with K.M. v. State, 233 So. 3d 1205 (Fla. 3d DCA 2017) (reaching merits of a disposition error where juvenile preserved issue by filing rule 8.135 motion with trial court), and M.L.J. v. State, 93 So. 3d 348, 350 (Fla. 2d DCA 2012) (observing that the juvenile properly preserved the issue by filing a motion to correct disposition error pursuant to rule 8.135).

Affirmed.