

NOT FINAL UNTIL TIME EXPIRES  
TO FILE REHEARING MOTION  
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JULY TERM, A.D. 2004

|                       |    |                               |
|-----------------------|----|-------------------------------|
| L.P., a juvenile,     | ** |                               |
| Appellant,            | ** |                               |
| vs.                   | ** | CASE NO. 3D04-1813            |
| The State of Florida, | ** |                               |
| Appellee.             | ** | LOWER<br>TRIBUNAL NO. 03-7538 |
|                       | ** |                               |

Opinion filed December 15, 2004.

An Appeal from the Circuit Court for Miami-Dade County,  
Mindy S. Glazer, Judge.

Bennett H. Brummer, Public Defender, and Billie Jan  
Goldstein, Assistant Public Defender, for appellant.

Charles J. Christ, Jr., Attorney General, and Richard L.  
Polin, Assistant Attorney General, for appellee.

Before COPE, GODERICH and GREEN, JJ.

PER CURIAM.

L.P. appeals after an adjudication of delinquency. The  
probation order dated July 6, 2004 placed L.P. on probation but  
did not specify the time period.

The offense that L.P. was found to have committed was resisting an officer without violence, in violation of section 843.02, Florida Statutes (2003). That offense is a first degree misdemeanor for which the legal maximum punishment is incarceration for one year. See id. §§ 843.02, 775.082(4). That being so, the duration of the probation order cannot exceed one year. See P.I.W. v. State, 827 So. 2d 383 (Fla. 3d DCA 2002); § 985.231(1)(a)1.a., Fla. Stat. (2003).

We therefore reverse the sentencing order in part and remand for the trial court to specify a period of probation not exceeding one year. The remainder of the probation order and the adjudicatory order are affirmed.

Affirmed in part, reversed in part and remanded for further proceedings consistent herewith.