

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. 2005

T.J.J., a juvenile,	**	
Appellant,	**	
vs.	**	CASE NO. 3D05-225
THE STATE OF FLORIDA,	**	
Appellee.	**	LOWER TRIBUNAL NO. 04-05026
	**	

Opinion filed November 16, 2005.

An Appeal from the Circuit Court for Miami-Dade County,  
Maria Espinosa Dennis, Judge.

Bennett H. Brummer, Public Defender, and Shannon P.  
McKenna, Assistant Public Defender, for appellant.

Charles J. Crist, Jr., Attorney General, and Michele  
Samaroo, Assistant Attorney General, for appellee.

Before GERSTEN and GREEN, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

T.J.J. appeals his adjudication of delinquency for  
resisting arrest without violence. T.J.J.'s loud, obscene, non-

violent, verbal protests of police conduct did not incite a breach of the peace or obstruct the police officers from performing their legal duties. See J.G.D. v. State, 724 So. 2d 711 (Fla. 3d DCA 1999); K.S. v. State, 697 So. 2d 1275 (Fla. 3d DCA 1997). Accordingly, we reverse, finding that T.J.J.'s conduct was protected under the First Amendment. L.A.T. v. State, 650 So. 2d 214 (Fla. 3d DCA 1995).

Reversed.