

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

K.O., a juvenile,

**

Appellant,

**

vs.

** CASE NO. 3D05-1729

THE STATE OF FLORIDA,

**

Appellee.

** LOWER
TRIBUNAL NO. 05-600
**

Opinion filed November 23, 2005.

An Appeal from the Circuit Court for Miami-Dade County,
William Johnson, Judge.

Bennett H. Brummer, Public Defender, and Robert Godfrey,
Assistant Public Defender, for appellant.

Charles J. Crist, Jr., Attorney General, and John D.
Barker, Assistant Attorney General, for appellee.

Before COPE, C.J., and GERSTEN and GREEN, JJ.

PER CURIAM.

K.O. appeals an order adjudicating him to be delinquent.
We affirm in part and reverse in part.

K.O. argues that the evidence was legally insufficient to convict him of the charge of aggravated assault. We affirm on authority of L.R.W. v. State, 848 So. 2d 1263, 1266 (Fla. 5th DCA 2003).

The State concedes that there is an error in the adjudicatory order. On count two, the charge of criminal mischief, the State acknowledges that the charge must be reduced to specify that the damage was under \$200. See § 806.13(1)(b)1., Fla. Stat. (2004).

Affirmed in part, reversed in part, and remanded for correction of adjudicatory order.*

* K.O. does not challenge the adjudication of delinquency on count one, the charge of throwing a deadly missile in violation of section 790.19, Florida Statutes (2004).