

FIFTH DISTRICT COURT OF APPEAL OF FLORIDA

Jonathan Conan Riddle, Jr. v. State of Florida

Riddle · No. 5D2024-0298 · Decided May 16, 2025

SUMMARY

The Fifth District Court of Appeal of Florida affirmed the denial of Jonathan Riddle's motion to correct sentencing error concerning three \$100 costs of prosecution imposed after his pleas in three criminal cases. The court held that the minimum costs were mandatory even without a request by the State and certified conflict with D.L.J. v. State.

CASE DETAILS

COURT	Fifth District Court of Appeal of Florida
WRITING FOR THE COURT	Per Curiam; Wallis; Jay; Eisnaugle
JURISDICTION	Fifth District Court of Appeal of Florida
DECIDED	May 16, 2025
DOCKET	5D2024-0298
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appellant appealed the denial of a motion to correct sentencing error challenging the imposition of three \$100 costs of prosecution after his pleas in three criminal cases.
STANDARD OF REVIEW	Not expressly stated.
PRECEDENTIAL VALUE	Published
PARTIES	Jonathan Conan Riddle, Jr. v. State of Florida

TOPICS

sentencing

criminal procedure

appellate procedure

PRACTICE AREAS

criminal law

appellate practice

QUESTIONS PRESENTED

1. Whether the trial court erred by imposing the mandatory minimum costs of prosecution without a request from the State.

HOLDINGS

1. Minimum costs of prosecution are mandatory and must be imposed even when the State has not requested them.

KEY QUOTATIONS

“We affirm and again certify conflict with D.L.J. v. State, 331 So. 3d 227, 228 (Fla. 2d DCA 2021).”

“holding minimum costs of prosecution are mandatory and must be imposed even in absence of State request”

FACTUAL BACKGROUND

Riddle entered pleas in three criminal cases. The trial court imposed a \$100 cost of prosecution in each case, for three \$100 costs total. The State had not requested the costs, and Riddle challenged their imposition through a motion to correct sentencing error.

PROCEDURAL HISTORY

Following pleas in three Duval County criminal cases, the circuit court imposed three \$100 costs of prosecution. The trial court denied Riddle's motion to correct sentencing error, and he appealed to the Fifth District Court of Appeal. The district court affirmed and again certified conflict with D.L.J. v. State.

DISPOSITION

affirmed

CASES CITED

- D.L.J. v. State, 331 So. 3d 227, 228 (Fla. 2d DCA 2021)
- Catledge v. State, 391 So. 3d 982, 983 (Fla. 5th DCA 2024)
- O'Malley v. State, 378 So. 3d 672 (Fla. 5th DCA 2024)
- Parks v. State, 371 So. 3d 392, 392-93 (Fla. 1st DCA 2023)

OPINION

Jonathan Conan Riddle, Jr. v. State of Florida

PER CURIAM.

FIFTH DISTRICT COURT OF APPEAL

STATE OF FLORIDA

_____ Case No. 5D2024-0298 LT Case Nos. 2021-CF-000211-A
2022-CF-001682-A
2021-CF-011949-A

JONATHAN CONAN RIDDLE, JR.,

Appellant, v.

STATE OF FLORIDA,

Appellee. _____ On appeal from the Circuit Court for Duval County. Jeb T. Branham, Judge. Matthew J. Metz, Public Defender, and Kathryn Rollison Radtke, Assistant Public Defender, Daytona Beach, for Appellant. James Uthmeier, Attorney General, and Christina Piotrowski, Assistant Attorney General, Tallahassee, for Appellee. May 16, 2025 PER CURIAM. Appellant, Jonathan Riddle, appeals the trial court's denial of his motion to correct sentencing error which imposed three \$100 costs of prosecution following his pleas in three cases. He argues that the trial court's denial erroneously imposed the costs of prosecution even though the State did not request them. We affirm and again certify conflict with *D.L.J. v. State*, 331 So. 3d 227, 228 (Fla. 2d DCA 2021). See *Catledge v. State*, 391 So. 3d 982, 983 (Fla. 5th DCA 2024) (holding minimum costs of prosecution are mandatory and must be imposed even in absence of State request); *O'Malley v. State*,

378 So. 3d 672 (Fla. 5th DCA 2024) (same; certifying conflict with *D.L.J.*); see also *Parks v. State*, 371 So. 3d 392, 392–93 (Fla. 1st DCA 2023) (same; recognizing conflict with *D.L.J.*), review granted, No. SC2023-1355, 2024 WL 370043 (Fla. Jan. 31, 2024). AFFIRMED. WALLIS, JAY, and EISNAUGLE, JJ., concur.

_____. Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331. _____ 2