

FLORIDA THIRD DISTRICT COURT OF APPEAL

William Walls v. State of Florida

No. 3D24-1652 (Fla. 3d DCA July 30, 2025) · No. 3D24-1652 · Decided July 30, 2025

SUMMARY

The Third District Court of Appeal of Florida reviewed William Walls's appeal from a post-sentencing restitution order. The court reversed and remanded with instructions to subtract a \$1,000 insurance deductible from the restitution amount and affirmed the order in all other respects.

OPINION

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PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed July 30, 2025. Not final until disposition of timely filed motion for rehearing. No. 3D24-1652 Lower Tribunal No. F23-23343 William Walls, Appellant, vs. The State of Florida, Appellee. An Appeal from the Circuit Court for Miami-Dade County, Carmen Cabarga, Judge. Carlos J. Martinez, Public Defender, and Nicholas A. Lynch, Assistant Public Defender, for appellant. James Uthmeier, Attorney General, and Camilo Montoya, Assistant Attorney General, for appellee. Before EMAS, FERNANDEZ and BOKOR, JJ. FERNANDEZ, J. William Walls appeals the trial court's restitution order, which was entered following an August 27, 2024 post-sentencing restitution hearing. Taking into account the State's concession and our review of the record, we reverse and remand the restitution order with instructions to subtract the \$1,000 insurance deductible from the restitution amount and affirm as to all other issues finding no abuse of discretion. See *State v. Hawthorne*, 573 So. 2d 330, 332-33 (Fla. 1991) ("This Court has recognized that '[t]he statutory provisions requiring the imposition of restitution recognize the discretion of the trial court in determining the amount of restitution.'" (quoting *Spivey v. State*, 531 So. 2d 965, 966 (Fla.1988))); *Koile v. State*, 902 So. 2d 822, 824 (Fla. 5th DCA 2005) ("Restitution must be proved by substantial competent evidence."). Reversed and remanded with instructions. 2