

FIFTH DISTRICT COURT OF APPEAL OF FLORIDA

Alijah Gadson v. State of Florida

Gadson · No. 5D2023-3666 · Decided April 25, 2025

OPINION

PER CURIAM.

FIFTH DISTRICT COURT OF APPEAL STATE OF FLORIDA
_____ Case No. 5D2023-3666 LT Case No. 2022-CF-10246-A
_____ ALIJAH GADSON, Appellant, v. STATE OF FLORIDA,
Appellee. _____ On appeal from the Circuit Court for Duval
County. London M. Kite, Judge. Matthew J. Metz, Public Defender, and Susan A. Fagan, Assistant
Public Defender, Daytona Beach, for Appellant.

Alijah Gadson, Sneads, pro se. James Uthmeier, Attorney General, and Daren L. Shippy, Assistant
Attorney General, Tallahassee, for Appellee. April 25, 2025 PER CURIAM. Alijah Gadson
appeals his judgment and sentence following a jury trial. Gadson was found guilty of attempted
manslaughter (with a special finding that he carried a firearm) and shooting or throwing deadly
missiles.

He was sentenced to fifteen years on both counts to run consecutively. The State requested, and
the trial court awarded, \$5,132.43 costs of prosecution; the written cost order included an award
for \$100 of prosecution costs as well as the requested \$5,132.43.

We affirm Gadson’s judgment and sentence, but remand for a corrected judgment striking the
duplicative \$100 of prosecution costs, as the statute does not allow for the imposition of both the
standard \$100 prosecution costs and the requested higher amount. See § 938.27(8), Fla. Stat.
(2024) (“Costs for the state attorney must be set in all cases at no less than... \$100 per case when a
felony offense is charged....

The court may set a higher amount upon a showing of sufficient proof of higher costs incurred.”).
AFFIRMED and REMANDED with instructions. MAKAR, WALLIS, and JAY, JJ., concur.

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