

FIFTH DISTRICT COURT OF APPEAL OF FLORIDA

J.J.A., a Child v. State of Florida

J.J.A. · No. 5D2025-1759 · Decided May 1, 2026

SUMMARY

The Fifth District Court of Appeal affirmed the denial of J.J.A.'s motion to suppress but reversed the disposition order adjudicating him delinquent for possession of a firearm by a minor. The court held that the order failed to specify the maximum penalty and predisposition detention credit required by Florida Rule of Juvenile Procedure 8.115(d)(2), and remanded for entry of a corrected order.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                      |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Fifth District Court of Appeal of Florida                                                                                                                                                                                                                                                            |
| WRITING FOR THE COURT | Kilbane, J.; Wallis, J.; Lambert, J.                                                                                                                                                                                                                                                                 |
| JURISDICTION          | Fifth District Court of Appeal of Florida                                                                                                                                                                                                                                                            |
| DECIDED               | May 1, 2026                                                                                                                                                                                                                                                                                          |
| DOCKET                | 5D2025-1759                                                                                                                                                                                                                                                                                          |
| DISPOSITION           | reversed_and_remanded                                                                                                                                                                                                                                                                                |
| PROCEDURAL POSTURE    | J.J.A. appealed from a juvenile delinquency adjudication and disposition order, challenging the denial of his motion to suppress and the terms of the disposition order. During the appeal, he filed a motion to correct the disposition order under Florida Rule of Juvenile Procedure 8.135(b)(2). |
| STANDARD OF REVIEW    | The denial of a motion to correct a disposition order under Florida Rule of Juvenile Procedure 8.135(b)(2) is reviewed de novo because the ruling, or failure to rule, presents a purely legal issue.                                                                                                |
| PRECEDENTIAL VALUE    | published and precedential                                                                                                                                                                                                                                                                           |
| PARTIES               | J.J.A., a Child v. State of Florida                                                                                                                                                                                                                                                                  |

TOPICS

- appellate procedure
- sentencing
- criminal procedure
- preservation of error
- standard of review

PRACTICE AREAS

- juvenile delinquency
- criminal procedure
- appellate procedure
- sentencing and disposition

## QUESTIONS PRESENTED

1. Whether the trial court properly denied J.J.A.'s motion to suppress.
2. Whether the disposition order complied with Florida Rule of Juvenile Procedure 8.115(d)(2) by specifying the maximum statutory penalty and predisposition credit for time served.
3. Whether J.J.A. was entitled to predisposition credit because his juvenile commitment was effectively determinate and could not extend beyond the maximum adult punishment.

## HOLDINGS

1. A motion to correct a disposition order filed under Florida Rule of Juvenile Procedure 8.135(b)(2) is reviewed de novo.
2. A juvenile disposition order must specify the maximum penalty defined by statute and the amount of time served in secure detention before disposition.
3. A juvenile is entitled to predisposition credit for time served in secure detention when the commitment is effectively determinate because it necessarily concludes before the juvenile reaches the age at which the Department of Juvenile Justice's authority ends.

## KEY QUOTATIONS

*“Florida law requires a disposition order to “specify[] the . . . maximum penalty defined by statute and . . . the amount of time served in secure detention before disposition.”” (at 2)*

*“it is not enough for a disposition order to merely reference the maximum statutory sentence for an offense without specifying what the maximum sentence actually is.” (at 2)*

*“Further, a trial court is required to grant predisposition credit for time served “on a ‘determinate’ commitment for an offense such as a misdemeanor that will necessarily conclude before the juvenile reaches the age at which DJJ’s authority ends.”” (at 3)*

*“Thus, we reverse the disposition order and remand for the trial court to enter a corrected disposition order in accordance with this opinion.” (at 4)*

## FACTUAL BACKGROUND

J.J.A., a juvenile, pleaded nolo contendere to possession of a firearm by a minor, and the trial court adjudicated him delinquent. The court ordered placement in a moderate-risk residential commitment program for an indeterminate period, subject to the maximum adult term of imprisonment or J.J.A.'s twenty-first birthday. The disposition order did not specify the statutory maximum penalty or credit for time served in secure detention before disposition.

## PROCEDURAL HISTORY

The Circuit Court for Duval County adjudicated J.J.A. delinquent after he pleaded nolo contendere to possession of a firearm by a minor and committed him to a moderate-risk residential program. The trial court did not timely rule on J.J.A.'s motion to correct the disposition order, so the motion was treated as denied. The Fifth District

affirmed the suppression ruling without comment, reversed the disposition order, and remanded for entry of a corrected order.

#### DISPOSITION

reversed\_and\_remanded

#### REMAND INSTRUCTIONS

The trial court must enter a corrected disposition order specifying the maximum penalty for the offense and granting and specifying J.J.A.'s predisposition credit for time served.

#### CASES CITED

- J.H. v. State, 344 So. 3d 616, 619 n.2 (Fla. 1st DCA 2022)
- N.J.P. v. State, 331 So. 3d 157, 158-159 (Fla. 4th DCA 2021)
- E.S.B. v. State, 822 So. 2d 579, 580 n.1 (Fla. 1st DCA 2002)
- A.M.R. v. State, 134 So. 3d 502, 503 (Fla. 4th DCA 2014)
- J.I.S. v. State, 930 So. 2d 587, 590, 593 (Fla. 2006)
- In re Amendments to the Fla. R. Juv. P., 26 So. 3d 552, 557 (Fla. 2009)