

FIRST DISTRICT COURT OF APPEAL OF FLORIDA

Maurice Shuntell Mitchell v. State of Florida

No. No. 1D2025-1024, First District Court of Appeal of Florida (May 13, 2026)

SUMMARY

The First District Court of Appeal of Florida reviewed an order setting restitution in a criminal case. It held that the trial court improperly included the victim’s Medicare Part B premiums and the remaining balance on the victim’s car loan, and remanded for entry of a corrected restitution order.

CASE DETAILS

|                       |                                                                |
|-----------------------|----------------------------------------------------------------|
| COURT                 | First District Court of Appeal of Florida                      |
| WRITING FOR THE COURT | Lewis, J.; Roberts, J.; Kelsey, J.                             |
| JURISDICTION          | First District Court of Appeal of Florida                      |
| DECIDED               | May 13, 2026                                                   |
| DOCKET                | No. 1D2025-1024                                                |
| DISPOSITION           | reversed_and_remanded                                          |
| PROCEDURAL POSTURE    | Mitchell appealed the trial court's order setting restitution. |
| PRECEDENTIAL VALUE    | published                                                      |
| PARTIES               | Maurice Shuntell Mitchell v. State of Florida                  |

TOPICS

- restitution criminal
- appellate procedure
- remedies
- damages

PRACTICE AREAS

- criminal law
- appellate practice
- restitution

QUESTIONS PRESENTED

- Whether restitution could include the victim's Medicare Part B premium for a six-month coverage period rather than medical treatment related to injuries from the accident.
- Whether restitution could include the remaining balance on the victim's car loan after insurance paid the car’s fair market value.

HOLDINGS

1. The trial court erred by awarding restitution for the victim's Medicare bill because the bill included a six-month Medicare Part B premium rather than medical treatment related to injuries from the accident.
2. The trial court erred by awarding restitution for the victim's remaining car loan balance after insurance paid the car's fair market value.

#### KEY QUOTATIONS

*“Because insurance paid out the fair market value of the car, the remaining balance on the loan was “a product of [the victim’s] financial decision,” not Appellant’s conduct.” (2)*

#### FACTUAL BACKGROUND

The restitution order arose from an accident that caused injury to the victim and damage to her car. The trial court awarded restitution for the victim's Medicare bill, which included her Medicare Part B premium for six months, and for the remaining balance on her car loan. Insurance had paid the fair market value of the car.

#### PROCEDURAL HISTORY

The County Court for Alachua County entered a restitution order awarding amounts for, among other things, the victim's Medicare bill and car loan balance. Mitchell appealed, and the First District Court of Appeal affirmed in part, reversed in part, and remanded for entry of a corrected restitution order.

#### DISPOSITION

reversed\_and\_remanded

#### REMAND INSTRUCTIONS

Remand for entry of a corrected restitution order.

#### CASES CITED

- Tolbert v. State, 268 So. 3d 947, 948–49 (Fla. 1st DCA 2019)

#### OPINION

Maurice Shuntell Mitchell v. State of Florida

PER CURIAM.

FIRST DISTRICT COURT OF APPEAL

STATE OF FLORIDA

\_\_\_\_\_ No. 1D2025-1024 \_\_\_\_\_

MAURICE SHUNTELL MITCHELL,

Appellant, v.

STATE OF FLORIDA,

Appellee. \_\_\_\_\_ On appeal from the County Court for Alachua

County. Susan Miller-Jones, Judge. May 13, 2026 PER CURIAM. Maurice Mitchell appeals the trial court's order setting restitution. He argues that the trial court erred in awarding restitution for four items, only two of which merit discussion. We agree that the trial court erred in awarding restitution for the victim's Medicare bill because it encompasses her Medicare Part B premium for a six-month coverage period, not medical treatment related to her injuries from the accident. See §§ 775.089(1)(a) & (2)(a), Fla. Stat. (2024). We also agree that the trial court erred in awarding restitution for the victim's car loan balance. Because insurance paid out the fair market value of the car, the remaining balance on the loan was "a product of [the victim's] financial decision," not Appellant's conduct. *Tolbert v. State*, 268 So. 3d 947, 948–49 (Fla. 1st DCA 2019). We therefore AFFIRM in part, REVERSE in part, and REMAND for entry of a corrected restitution order. LEWIS, ROBERTS, and KELSEY, JJ., concur. \_\_\_\_\_ Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331. \_\_\_\_\_ Jessica J. Yeary, Public Defender, and Jasmine Russell Dixon, Assistant Public Defender, Tallahassee, for Appellant. James Uthmeier, Attorney General, and Kristie Regan, Assistant Attorney General, Tallahassee, for Appellee. 2