

FIRST DISTRICT COURT OF APPEAL OF FLORIDA

Pedro Carlos Perez v. State of Florida

Perez · No. 1D2025-0944 · Decided March 25, 2026

SUMMARY

The First District Court of Appeal held that Levy County Animal Services was not a direct victim entitled to restitution under section 775.089(1)(c)1., Florida Statutes, because it was providing public services in response to the offenses. The court also held that the trial court erred in imposing a \$50 cost of investigation because the State had not requested it. The court affirmed the convictions and sentences, reversed the restitution order, and remanded with instructions to strike the investigative cost.

CASE DETAILS

COURT	First District Court of Appeal of Florida
WRITING FOR THE COURT	Per Curiam; Lewis; Ray; Long
JURISDICTION	Florida First District Court of Appeal
DECIDED	March 25, 2026
DOCKET	1D2025-0944
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Perez appealed his convictions and sentences, including a restitution order and a \$50 cost of investigation imposed by the Circuit Court for Levy County.
STANDARD OF REVIEW	The opinion does not expressly identify a standard of review. The restitution and cost-of-investigation issues were reviewed for legal error.
PRECEDENTIAL VALUE	published
PARTIES	Pedro Carlos Perez v. State of Florida

TOPICS

- restitution criminal
- criminal procedure
- statutory interpretation
- appellate procedure
- remedies

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice
- restitution

QUESTIONS PRESENTED

1. Whether Levy County Animal Services qualified as a direct victim entitled to restitution under section 775.089(1)(c)1., Florida Statutes (2023), for the cost of caring for Perez's dogs.
2. Whether the trial court could impose the \$50 cost of investigation under section 938.27(1), Florida Statutes (2023), when the State had not requested it.
3. Whether the convictions and sentences should otherwise be affirmed.

HOLDINGS

1. Levy County Animal Services was not a direct victim under section 775.089(1)(c)1., Florida Statutes (2023), because it merely provided public services in response to Perez's offenses; the dogs, not the agency, were the direct victims. The restitution award was therefore erroneous.
2. The trial court erred by imposing the \$50 cost of investigation because section 938.27(1), Florida Statutes (2023), permits that cost only when it is requested by the State, and no request was made below.

KEY QUOTATIONS

“The term “includes governmental entities and political subdivisions, as those terms are defined in s. 11.45, when such entities are a direct victim of the defendant’s offense or criminal episode and not merely providing public services in response to the offense or criminal episode.”” (at 2)

“Here, however, LCAS was not a direct victim of the offenses at issue. The dogs were.” (at 2)

“Thus, the trial court erred in imposing it. We therefore remand the case with instructions that the court strike the cost.” (at 3)

FACTUAL BACKGROUND

Levy County Animal Services seized Perez's ten dogs after finding them living in conditions that allegedly violated Florida law. During the investigation and trial, the agency cared for the dogs, and the State sought \$32,173.90 in restitution for that care. The trial court awarded the restitution and imposed a \$50 investigation cost even though the State had not requested that cost.

PROCEDURAL HISTORY

After a jury found Perez guilty of offenses involving the confinement of animals with insufficient food, water, air, or exercise, the trial court ordered him to pay \$32,173.90 in restitution to Levy County Animal Services and imposed a \$50 cost of investigation. The First District Court of Appeal affirmed the convictions and sentences, reversed the restitution order, and remanded with instructions to strike the investigation cost.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the restitution order and remand with instructions for the trial court to strike the \$50 cost of investigation. The convictions and sentences are otherwise affirmed.

CASES CITED

- Anglin v. State, 369 So. 3d 1167 (Fla. 4th DCA 2023)
- Lucas v. State, 385 So. 3d 1086, 1087 (Fla. 4th DCA 2024)
- Young v. State, 373 So. 3d 927, 927 (Fla. 1st DCA 2023)
- Pruitt v. State, 98 So. 3d 231, 232 (Fla. 1st DCA 2012)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/florida-first-district-court-of-appeal-first-district-court-of-appeal-of-florida/2026/pedro-carlos-perez-v-state-of-florida-tjdv8xs>