

SUPREME COURT OF FLORIDA

Jourdan Daniel Parks v. State of Florida

Parks v. State, No. SC2023-1355 (Fla. June 12, 2025) · No. SC2023-1355 · Decided June 12, 2025

SUMMARY

The Supreme Court of Florida held that the minimum costs for the state attorney mandated by section 938.27(8), Florida Statutes (2019), must be imposed even when the State does not request them. The Court approved the First District's decision in Parks v. State and disapproved the Second District's contrary decision in D.L.J. v. State, concluding that the specific mandate in subsection (8) controls over the general request requirement applicable to certain investigative costs under subsection (1).

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Canady, J.; Muñiz, C.J.; Labarga, J.; Couriel, J.; Grosshans, J.; Francis, J.; Sasso, J.
JURISDICTION	Supreme Court of Florida
DECIDED	June 12, 2025
DOCKET	SC2023-1355
DISPOSITION	approved
PROCEDURAL POSTURE	Petitioner's review of a First District Court of Appeal decision imposing mandatory minimum state-attorney costs under section 938.27(8), Florida Statutes, without a request by the State, accepted on express and direct conflict jurisdiction.
STANDARD OF REVIEW	De novo review of the statutory-interpretation issue.
PRECEDENTIAL VALUE	Published Florida Supreme Court opinion; binding statewide precedent, subject to finality after rehearing proceedings.
PARTIES	Jourdan Daniel Parks v. State of Florida

TOPICS

- statutory interpretation
- criminal procedure
- sentencing
- appellate jurisdiction
- legislative intent

PRACTICE AREAS

- Criminal law
- Criminal procedure
- Statutory interpretation
- Appellate jurisdiction

QUESTIONS PRESENTED

1. Whether the minimum costs for the state attorney mandated by section 938.27(8), Florida Statutes (2019), may be imposed without a request by the State.
2. Whether section 938.27(1)'s request requirement for certain investigative costs applies to the separate minimum state-attorney costs specified in section 938.27(8).

HOLDINGS

1. The minimum costs for the state attorney mandated by section 938.27(8), Florida Statutes (2019), must be imposed by the trial court even when the State has not requested them.

KEY QUOTATIONS

“Taken together, the statutory texts—set forth earlier in this opinion—lead to the conclusion that the minimum costs for the state attorney must be imposed by the trial court even in the absence of a request by the State.”
(at 9)

“We conclude that the minimum “[c]osts for the state attorney” mandated by section 938.27(8) must be imposed by the trial court even in the absence of a request by the State.” (at 14)

FACTUAL BACKGROUND

Parks was adjudicated guilty of five charges and sentenced as a habitual felony offender to twenty-five years in prison. The trial court imposed a \$100 state-attorney cost of prosecution for the felony offenses under section 938.27(8), Florida Statutes (2019), although the State did not expressly request the cost. Parks challenged the assessment as a sentencing error, arguing that section 938.27(1) required a request by the State.

PROCEDURAL HISTORY

Parks was adjudicated guilty of five charges and sentenced as a habitual felony offender to twenty-five years in prison. The trial court imposed a \$100 state-attorney cost under section 938.27(8), despite the State's failure to expressly request it. The trial court denied Parks's motion to correct sentencing errors, and the First District affirmed. The Supreme Court of Florida accepted review based on conflict with *D.L.J. v. State* and approved the First District's decision while disapproving *D.L.J.*

DISPOSITION

approved

CASES CITED

- *Parks v. State*, 371 So. 3d 392 (Fla. 1st DCA 2023)
- *D.L.J. v. State*, 331 So. 3d 227 (Fla. 2d DCA 2021)
- *Brown v. State*, 348 So. 3d 31 (Fla. 1st DCA 2022)
- *Richards v. State*, 288 So. 3d 574 (Fla. 2020)
- *Hills v. State*, 90 So. 3d 927 (Fla. 1st DCA 2012)

- Tomlinson v. State, 369 So. 3d 1142, 1146 (Fla. 2023)
- Lab'y Corp. of Am. v. Davis, 339 So. 3d 318, 324 (Fla. 2022)
- Tsuji v. Fleet, 366 So. 3d 1020, 1025 (Fla. 2023)
- Forsythe v. Longboat Key Beach Erosion Control Dist., 604 So. 2d 452, 455 (Fla. 1992)
- Bank of New York Mellon v. Glenville, 252 So. 3d 1120, 1129 (Fla. 2018)
- McKendry v. State, 641 So. 2d 45, 46 (Fla. 1994)
- James v. State, 662 So. 2d 995 (Fla. 2d DCA 1995)
- Vandawalker v. State, 310 So. 3d 483 (Fla. 2d DCA 2020)
- Davis v. State, 286 So. 3d 898, 899 (Fla. 2d DCA 2019)
- Mercado v. State, 304 So. 3d 786 (Fla. 2d DCA 2018)
- Thomas v. State, 236 So. 3d 1159, 1161 (Fla. 1st DCA 2018)
- Anders v. California, 386 U.S. 738 (1967)

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