

FIFTH DISTRICT COURT OF APPEAL OF FLORIDA

Benjamin Christopher Walker v. State of Florida

Walker v. State · No. 5D2025-0568 · Decided January 23, 2026

SUMMARY

The Fifth District Court of Appeal of Florida affirmed Benjamin Christopher Walker’s convictions and sentence for trafficking in methamphetamine, possession of ammunition by a convicted felon, and possession of drug paraphernalia. The court remanded for correction of a scrivener’s error in the cost order, requiring the public defender application fee to be reduced from \$100 to \$50.

CASE DETAILS

COURT	Fifth District Court of Appeal of Florida
WRITING FOR THE COURT	Per Curiam; Chief Judge Jay; Judge Edwards; Judge Soud
JURISDICTION	Fifth District Court of Appeal of Florida
DECIDED	January 23, 2026
DOCKET	5D2025-0568
DISPOSITION	other
PROCEDURAL POSTURE	Anders appeal from a judgment and sentence entered after a jury found Walker guilty of trafficking in methamphetamine, possession of ammunition by a convicted felon, and possession of drug paraphernalia.
STANDARD OF REVIEW	Anders review of the record for reversible error
PRECEDENTIAL VALUE	Published opinion
PARTIES	Benjamin Christopher Walker v. State of Florida

TOPICS

- appellate procedure
- criminal procedure
- sentencing

PRACTICE AREAS

- criminal appellate procedure
- sentencing and costs

QUESTIONS PRESENTED

- Whether the Anders appeal disclosed any reversible error in Walker's judgment and sentence.

2. Whether the cost order should be corrected to remove the \$100 public defender application fee and replace it with the properly ordered \$50 fee.

HOLDINGS

1. The record disclosed no reversible error, so the judgment and sentence were affirmed in all respects other than the cost-order correction.
2. The cost order had to be amended to remove the erroneous \$100 public defender application fee and replace it with the properly ordered \$50 fee.

KEY QUOTATIONS

“We affirm in all regards, except that we remand to the trial court for entry of an amended cost order to correct a scrivener’s error by removing the \$100 charge for the public defender application fee, and replacing it with a charge of \$50 for the public defender application fee, as the trial court correctly ruled when it granted Appellant’s Florida Rule of Criminal Procedure 3.800(b)(2) motion.”

“AFFIRMED, REMANDED WITH INSTRUCTIONS.”

FACTUAL BACKGROUND

A jury found Benjamin Christopher Walker guilty of trafficking in methamphetamine, possession of ammunition by a convicted felon, and possession of drug paraphernalia. The trial court imposed judgment and sentence and entered a cost order that incorrectly listed a \$100 public defender application fee instead of the \$50 fee the court had ordered.

PROCEDURAL HISTORY

The Circuit Court for Marion County entered judgment and sentence after a jury trial. On appeal, the Fifth District Court of Appeal affirmed in all respects except for a scrivener's error in the cost order, remanding for correction of the public defender application fee from \$100 to \$50 pursuant to the trial court's ruling on Walker's Florida Rule of Criminal Procedure 3.800(b)(2) motion.

DISPOSITION

other

REMAND INSTRUCTIONS

Remand to the trial court to enter an amended cost order removing the \$100 public defender application fee and replacing it with a \$50 fee. The judgment and sentence are affirmed in all other respects.

CASES CITED

- Anders v. California, 386 U.S. 738 (1967)

OPINION

Benjamin Christopher Walker v. State of Florida

PER CURIAM.

FIFTH DISTRICT COURT OF APPEAL

STATE OF FLORIDA

_____ Case No. 5D2025-0568 LT Case No. 42-2022-CF-4629-A

BENJAMIN CHRISTOPHER

WALKER,

Appellant, v.

STATE OF FLORIDA,

Appellee. _____ On appeal from the Circuit Court for Marion County. Barbara Kissner, Judge. Matthew J. Metz, Public Defender, and Teresa D. Sutton, Assistant Public Defender, Daytona Beach, for Appellant. James Uthmeier, Attorney General, Tallahassee, and Stephen R. Putnam, Jr., Assistant Attorney General, Daytona Beach, for Appellee. January 23, 2026 PER CURIAM. We affirm this Anders 1 appeal of Appellant, Benjamin Christopher Walker's, judgment and sentence imposed following the jury trial in which he was found guilty of trafficking in methamphetamine, possession of ammunition by a convicted felon, and possession of drug paraphernalia. We affirm in all regards, except that we remand to the trial court for entry of an amended cost order to correct a scrivener's error by removing the \$100 charge for the public defender application fee, and replacing it with a charge of \$50 for the public defender application fee, as the trial court correctly ruled when it granted Appellant's Florida Rule of Criminal Procedure 3.800(b)(2) motion. AFFIRMED, REMANDED WITH INSTRUCTIONS. JAY, C.J., and EDWARDS and SOUD, JJ., concur. _____ Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331. _____ 1 Anders v. California, 386 U.S. 738 (1967). 2