

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2002

JAVIER PEREZ,

Appellant,

v.

Case No. 5D00-2118

STATE OF FLORIDA,

Appellee.

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Opinion filed March 8, 2002

Appeal from the Circuit Court
for Osceola County,
Frank N. Kaney, Senior Judge.

Ryan Thomas Truskoski of Ryan Thomas
Truskoski, P.A., Orlando, for Appellant.

Robert A. Butterworth, Attorney General, Tallahassee,
and Rebecca Roark Wall,
Assistant Attorney General, Daytona Beach,
for Appellee.

SAWAYA, J.

Javier Perez appeals his conviction and sentence for sexual battery without force on a person twelve years of age or older. We affirm Perez's conviction. However, we vacate the portion of Perez's sentence which requires that any amount over \$10 in his inmate account be paid to the Osceola County Collections Court. See Blackiston v. State, 772 So. 2d 554 (Fla 5th DCA 2000) (holding that the administrative order creating the Ninth Circuit's Collections Court Program improperly limited the discretionary authority vested in trial courts

to utilize the program). Otherwise, Perez's sentence is affirmed.

JUDGMENT AFFIRMED; SENTENCE AFFIRMED in part and VACATED in part.

THOMPSON, C.J., and ORFINGER, R. B., J., concur.