

Third District Court of Appeal

State of Florida, January Term, A.D. 2010

Opinion filed February 10, 2010.
Not final until disposition of timely filed motion for rehearing.

No. 3D09-3352
Lower Tribunal No. 05-846

The State of Florida,
Petitioner,

vs.

Grady Nelson,
Respondent.

A Writ of Certiorari to the Circuit Court for Miami-Dade County, Yvonne Colodny, Judge.

Katherine Fernandez Rundle, State Attorney, and Joel D. Rosenblatt, Assistant State Attorney, for petitioner.

Carlos J. Martinez, Public Defender and David S. Markus, Special Assistant Public Defender, for respondent.

Before GERSTEN, SHEPHERD, and SUAREZ, JJ.

PER CURIAM.

The State of Florida petitions for a writ of certiorari to quash an order taxing costs against the State Attorney's Office as a sanction for a discovery violation in a criminal prosecution. The trial court does not have inherent authority to assess costs against the State Attorney's Office in criminal cases. State v. Shelton, 584 So. 2d 1118 (Fla. 5th DCA 1991); State v. Hardwood, 488 So. 2d 901 (Fla. 5th DCA 1986). Accordingly, we grant certiorari, and quash the trial court order assessing costs against the State Attorney's Office in this cause.

Petition granted; order quashed.