

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA.

STATE OF FLORIDA,

Appellant,

APPELLATE DIVISION (CRIMINAL)
Case No.: 502009AP900064AXXXMB
Co. Court Case No.: 502009MM001850AXXXMB

v.

JUANITA RAZZ,

Appellee.

Opinion filed: May 14, 2010

Appeal from Judge, Sandra Bosso-Pardo
County Court in and for Palm Beach County.

For Appellant, Michelle Zieba, Esq., Office of the State Attorney, 401 N. Dixie Highway, West
Palm Beach, FL 33401.

For Appellee, Jacob Noble, Esq., 4400 Northrop Parkway, Palm Beach Gardens, FL 33410.

PER CURIAM.

Appellant was charged with Contributing to the Delinquency or Dependency of a Child, in violation of section 827.04, Florida Statutes. Appellant filed a Motion to Dismiss the charges. The trial court granted Appellant's motion based on the court's finding that (1) the juvenile court found the minor not guilty and (2) that based on the fact that a court exercising juvenile jurisdiction over the child named in the Information found the child not guilty or not delinquent of the offense for which the Appellant was alleged to have caused, the doctrine of collateral estoppel barred the State from prosecuting the Appellant for Contributing to the Delinquency of a Child.

Pursuant to section 827.04(2), it is not necessary for any court exercising juvenile jurisdiction to make an adjudication that any child is delinquent or dependent or a child in need

of services in order to prosecute a violation of this section. Furthermore, the issue of whether the Appellant was contributing to the delinquency of a minor was not addressed by the juvenile court.

Accordingly, the trial court's order granting the motion to dismiss is hereby REVERSED and the cause is REMANDED for further proceedings.

RAPP, KASTRENAKES and SMITH, JJ. concur.

<u>DYLE</u>	<u>DYLE</u>	<u>DYLE</u>
<u>JUDGE</u>	<u>JUDGE</u>	<u>JUDGE</u>
DISCHARGE ()	DISCHARGE ()	DISCHARGE ()
VOLEE ()	VOLEE ()	VOLEE ()