Third District Court of Appeal

State of Florida

Opinion filed October 15, 2026.
Not final until disposition of timely filed motion for rehearing.

No. 3D26-0845
Lower Tribunal No. J25-1466

J.P., a Juvenile,
Appellant,

vs.

State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Orlando A. Prescott, Judge.

Carlos J. Martinez, Public Defender and Deborah Prager, Assistant Public Defender, for appellant.

James Uthmeier, Attorney General and Joseph C. Burns, Assistant Attorney General, for appellee.

Before GORDO, LOBREE and BOKOR, JJ.

PER CURIAM.

Affirmed. See § 843.02, Fla. Stat. (2026) ("Whoever shall resist, obstruct, or oppose any officer . . . legally authorized to execute process in the execution of legal process or in the lawful execution of any legal duty, without offering or doing violence to the person of the officer, shall be guilty of a misdemeanor of the first degree[.]"); Baptiste v. State, 995 So. 2d 285, 295 (Fla. 2008) ("We conclude that a person has been 'seized' within the meaning of the Fourth Amendment only if, in view of all of the circumstances surrounding the incident, a reasonable person would have believed that he was not free to leave."); State v. D.F., 92 So. 3d 216, 218 (Fla. 3d DCA 2011) ("The determination whether a seizure has occurred by a show of authority requires the application of an objective test, and not whether the citizen perceived that he was being ordered to restrict his movement. This objective standard is not concerned with the officers' subjective intent, but with what the officers' words and actions would have conveyed to a reasonable, innocent person." (internal quotation marks omitted) (first quoting California v. Hodari D., 499 U.S. 621, 628 (1991); and then quoting Caldwell v. State, 41 So. 3d 188, 195–97 (Fla. 2010))); United States v. Mendenhall, 446 U.S. 544, 554 (1980) (holding "the use of language or tone of voice indicating that compliance with the officer's request might be compelled" is indicative of a seizure); J.C. v. State, 15 So. 3d 870,

872 (Fla. 2d DCA 2009) ("We conclude that a reasonable person would not feel free to walk away but rather would feel compelled to comply with a police officer's command, 'I've got to talk to you for a minute. Hang on.'"); Neeley v. State, 112 So. 3d 764, 766 (Fla. 2d DCA 2013) (finding "'stand by' was a detention because a reasonable person under the circumstances would not feel free to leave or to disregard the instruction"); Popple v. State, 626 So. 2d 185, 188 (Fla. 1993) (finding an officer's directive restraining freedom of movement "constituted a show of authority" irrespective of "[w]hether characterized as a request or order"—"because a reasonable person under the circumstances would believe that he should comply").