

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

JULY TERM 2011

A.B., A Child,  
Appellant,

v.

Case No. 5D10-3565

STATE OF FLORIDA,  
Appellee.

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Opinion filed August 19, 2011

Appeal from the Circuit Court  
For Seminole County,  
Kenneth R. Lester, Judge.

James S. Purdy, Public Defender, and  
Kevin R. Holtz, Assistant Public Defender,  
Daytona Beach, for Appellant.

Pamela Jo Bondi, Attorney General,  
Tallahassee, and Kristen L. Davenport,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

At issue here is whether the trial court erred by placing a juvenile sex offender on probation beyond her nineteenth birthday. Section 985.0301(5)(h), Florida Statutes (2010), provides that "[t]he court may retain jurisdiction of a juvenile sexual offender who has been placed in a program or facility for juvenile sexual offenders until the juvenile sexual offender reaches the age of 21 . . ." Appellant contends that the trial

court exceeded its jurisdiction by placing her on probation until age twenty-one because she was not committed to a residential treatment facility. We disagree and affirm.

In construing a statute, "statutory language should be given its plain and ordinary meaning." *E.D.B. v. State*, 5 So. 3d 787, 789 (Fla. 5th DCA 2009). Section 985.0301(5)(h) extends jurisdiction over juvenile sex offenders placed in either a "program *or* facility." (Emphasis added). The statute is unambiguous; if either condition is satisfied, extended jurisdiction is proper. We find that the trial court placed Appellant in a sex offender "program," thus the fact that she was not committed to a residential treatment facility is inconsequential and probation until age twenty-one is proper.

AFFIRMED.

SAWAYA, TORPY and EVANDER, JJ., concur.