

CASE NO: \_\_\_\_\_

IN THE

SUPREME COURT OF THE UNITED STATES

DEDRIC DAVIS - PETITIONER

VS.

STATE OF FLORIDA- RESPONDENT

APPENDIX

Dedric Davis, DC# A51401

Desoto Correctional Institution Annex

13617 S.E. Highway 70

Arcadia, Florida 34266

PREPARED BY: J. J. [Signature]  
DATE: 5-21-2020  
NAME: [Signature]  
OFFICIAL: [Signature]

# APPENDIX A

Ruling of the First District Court of Appeal

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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No. 1D18-4547

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DEDRIC DAVIS,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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On appeal from the Circuit Court for Santa Rosa County.  
David Rimmer, Judge.

December 18, 2019

PER CURIAM.

AFFIRMED.

MAKAR, BILBREY, and JAY, JJ., concur.

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*Not final until disposition of any timely and  
authorized motion under Fla. R. App. P. 9.330 or  
9.331.*

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Philip J. Massa of Philip J. Massa, P.A., West Palm Beach, for Appellant.

Ashley Moody, Attorney General, and David Welch, Assistant Attorney General, Tallahassee, for Appellee.

## APPENDIX B

Judgment and Sentence of the trial court

**STATE OF FLORIDA  
IN THE CIRCUIT COURT OF THE 1ST JUDICIAL CIRCUIT  
IN AND FOR SANTA ROSA COUNTY FLORIDA**

STATE OF FLORIDA,  
-vs-  
DEDRIC KEANDRE DAVIS  
Defendant.

Case Number: 16001654CFMXAX  
17000194CFMXAX

**Other Provisions**

16-CF-1654 As To Count 1

It is further ordered that the defendant shall be allowed a total of 622.000 day(s) credit for such time incarcerated before imposition of this sentence.

16-CF-1654 As to Count 2

It is further ordered that the defendant shall be allowed a total of 00.000 day(s) credit for such time incarcerated before imposition of this sentence.

17-CF-194 As To Counts 1,2,3,5

It is further ordered that the defendant shall be allowed a total of 624.000 day(s) credit for such time incarcerated before imposition of this sentence.

**16-CF-1654 COUNT 2 IS CONSECUTIVE TO COUNT 1**

**17-CF-194 ALL COUNTS CONCURRENT AND CONCURRENT TO 16-CF-1654**

**CREDIT FOR TIME SERVED:**

- ☐ The Department of Corrections shall apply the original jail time (To be used for Resentencing credit and to compute and apply credit for time served and the and after VOP and VOCC.) gain time awarded pursuant to section 944.275 Florida Statutes. (Pre October 1, 1989)
- ☐ The Department of Corrections shall apply the original jail time credit and to compute and apply credit for time served and unforfeited gain time awarded during prior service of incarceration of the split sentence pursuant to section 948.06 (6) Florida Statutes. (Post October 1, 1989)
- ☐ Defendant is allowed credit for \_\_\_\_\_ days credit county jail served between date of arrest as a violator and date of resentencing. The Department of Corrections shall apply original jail credit awarded and shall compute and apply credit for actual time served in prison and any earned and unforfeited gain time awarded prior service on:

CASE NO:

COUNT

\_\_\_\_\_

\_\_\_\_\_

pursuant to section 944.276 Florida Statutes.

State of Florida

v.

**DEDRIC KEANDRE DAVIS**

Defendant

Case Number: 17-CF-194, 16-1654-CF

DONALD C. SPENCER  
CLERK OF COURT &  
COMPTROLLER

2018 OCT 22 PM 2:11

SANTA ROSA COUNTY FL  
FELONY FILED

**Other Provision, continued:**

**Consecutive/Concurrent  
As To Other Counts**

It is further ORDERED that the sentence imposed for this count shall run ☐ consecutive to ☐ concurrent with the sentence set forth in count \_\_\_ of this case.

**Consecutive/Concurrent  
As To Other Convictions**

It is further ORDERED that the composite term of all sentences imposed for the count(s) specified in this Order shall run ☐ consecutive to ☐ concurrent with the following:

☐ any active sentence being served.

☐ specific sentences:

In the event the above sentence is to the Department of Corrections, the Sheriff of Santa Rosa County, Florida, is hereby ORDERED AND DIRECTED to deliver the Defendant to the Department of Corrections at the facility designated by the Department together with a copy of this Judgment and Sentence and any other documents specified by Florida Statute.

The Defendant in open court was advised of the right to appeal from this sentence by filing Notice of Appeal within 30 days from this date with the clerk of this Court, and the Defendant's right to the assistance of counsel in taking the appeal at the expense of the State on showing of indigency.

In imposing the above sentence, the court further ☐ recommends ☐ ORDERS:

**DONE AND ORDERED** in open court in Milton, Santa Rosa County, Florida this 22 day of OCTOBER, 2018.



Circuit Judge

**STATE OF FLORIDA  
IN THE CIRCUIT COURT OF THE 1ST JUDICIAL CIRCUIT  
IN AND FOR SANTA ROSA COUNTY FLORIDA**

STATE OF FLORIDA,

-vs-

**DEDRIC KEANDRE DAVIS**  
Defendant.

UCN: 572016CF001654CFAXMX  
Case Number: 16001654CFMXAX  
OBTS#: 5701121785

**Judgment**

☐ PROBATION VIOLATOR  
☐ COMMUNITY CONTROL VIOLATOR

☐ RESENTENCE  
☐ RETRIAL

The defendant **DEDRIC KEANDRE DAVIS** being personally before the court represented by **GILLIS E POWELL**, the attorney of record and the state represented by **DARA SCHROETER** and having entered a plea of Nolo-Contendere to the following crime(s):

**SEQ # CNT # CHARGE**

2      1      790.23.1a  
775.087.2

**POSSESSION OF FIREARM BY CONVICTED  
FELON 10-20-LIFE**

**LVL  
DGR  
Felony Second  
Degree**

1      2      790.01

**CARRYING A CONCEALED FIREARM**

**Felony Third  
Degree**

- ☐ The PROBATION COMMUNITY CONTROL previously ordered in this case is revoked.  
☐ The **PRIOR ADJUDICATION OF GUILT IN THIS CASE IS CONFIRMED** and no cause having been shown why the defendant should not be adjudicated guilty.

It is ordered that the defendant is hereby Adjudicated Guilty of the above crime(s).

**STATE OF FLORIDA  
IN THE CIRCUIT COURT OF THE 1ST JUDICIAL CIRCUIT  
IN AND FOR SANTA ROSA COUNTY FLORIDA**

STATE OF FLORIDA,

-vs-

DEDRIC KEANDRE DAVIS  
Defendant.

UCN: 572917CF000194CFAXMX  
Case Number: 17000194CFMXAX  
OBTS#: 5701123583

**Judgment**

☐ PROBATION VIOLATOR  
☐ COMMUNITY CONTROL VIOLATOR

☐ RESENTENCE  
☐ RETRIAL

The defendant DEDRIC KEANDRE DAVIS being personally before the court represented by GILLIS E POWELL, the attorney of record and the state represented by AMY SHEA and having been tried and found guilty by jury of the following crime(s):

SEQ #	CNT #	CHARGE	LVL DGR
1	1	782.04.2 SECOND DEGREE MURDER WITH A FIREARM 775.087	Felony Life
2	2	782.04.2 ATTEMPTED SECOND DEGREE MURDER WITH 775.087 A FIREARM 777.04	Felony Life
3	3	782.04.2 ATTEMPTED SECOND DEGREE MURDER WITH 775.087 A FIREARM 777.04	Felony Life
4	4	NOL PROS	
5	5	790.15.2 SHOOTING OR DISCHARGING FIREARM FROM A VEHICLE	Felony Second Degree

- ☐ The PROBATION COMMUNITY CONTROL previously ordered in this case is revoked.  
☐ The PRIOR ADJUDICATION OF GUILT IN THIS CASE IS CONFIRMED and no cause having been shown why the defendant should not be adjudicated guilty.

It is ordered that the defendant is hereby Adjudicated Guilty of the above crime(s) and having been convicted or found guilty of attempts or offenses relating to murder, the defendant shall be required to submit blood specimens or other biological specimens approved by FDLE.

**STATE OF FLORIDA  
IN THE CIRCUIT COURT OF THE 1ST JUDICIAL CIRCUIT  
IN AND FOR SANTA ROSA COUNTY FLORIDA**

STATE OF FLORIDA,

-vs-

DEDRIC KEANDRE DAVIS  
Defendant.

UCN: 572017CF000194CFAXMX  
Case Number: 17000194CFMXAX

**Sentence  
As To Counts 1,2,3**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, GILLIS E POWELL III, and having been adjudicated guilty herein, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

(Check one if applicable)

- ☐ and the court having on 10/22/2018 deferred imposition of sentence until this date.  
10/22/2018
- ☐ and the court having previously entered a judgment in this case on \_\_\_\_\_ now  
resentences the defendant
- ☐ and the court having placed the defendant on probation/community control and having  
subsequently revoked the defendant's probation/community control

It Is The Sentence Of The Court That:

The Defendant is hereby committed to the custody of the Department of Corrections.

- ☐ The defendant pay a fine pursuant to section 775.083, Florida Statutes, plus a 5% surcharge  
required by section 938.04 Florida Statutes, as indicated on the Fine/Costs/Fee Page.
- ☐ The defendant is sentenced as a youthful offender in accordance with section 958.04,  
Florida Statutes.

To Be Imprisoned:

For a term of natural life.

**SENTENCED AS A PRR**

In the event the defendant is ordered to serve additional split sentences, all incarcerations  
portions shall be satisfied before the defendant begins service to the supervision terms.

**STATE OF FLORIDA  
IN THE CIRCUIT COURT OF THE 1ST JUDICIAL CIRCUIT  
IN AND FOR SANTA ROSA COUNTY FLORIDA**

STATE OF FLORIDA,  
-vs-  
DEDRIC KEANDRE DAVIS  
Defendant.

Case Number: 16001654CFMXAX  
17000194CFMXAX

**Sentence**

16-CF-1654 As To Count 1  
17-CF-194 As To Count 5

The defendant, being personally before this court, accompanied by the defendant's attorney of record, GILLIS E POWELL III, and having been adjudicated guilty herein, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

(Check one if applicable)

- ☐ and the court having on 10/22/2018 deferred imposition of sentence until this date 10/22/2018
- ☐ and the court having previously entered a judgment in this case on \_\_\_\_\_ now resentsences the defendant
- ☐ and the court having placed the defendant on probation/community control and having subsequently revoked the defendant's probation/community control

It Is The Sentence Of The Court That:

- The Defendant is hereby committed to the custody of the Department of Corrections.
- ☐ The defendant pay a fine pursuant to section 775.083, Florida Statutes, plus a 5% surcharge required by section 938.04 Florida Statutes, as indicated on the Fine/Costs/Fee Page.
- ☐ The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

To Be Imprisoned:

For a term of 15.000 year(s)

In the event the defendant is ordered to serve additional split sentences, all incarcerations portions shall be satisfied before the defendant begins service to the supervision terms.

**STATE OF FLORIDA  
IN THE CIRCUIT COURT OF THE 1ST JUDICIAL CIRCUIT  
IN AND FOR SANTA ROSA COUNTY FLORIDA**

STATE OF FLORIDA,

-VS-

DEDRIC KEANDRE DAVIS  
Defendant.

UCN: 572016CF001654CFAXMX  
Case Number: 16001654CFMXAX

**Sentence  
As To Count 2**

The defendant, being personally before this court, accompanied by the defendant's attorney of record, GILLIS E POWELL III, and having been adjudicated guilty herein, and the court having given the defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why the defendant should not be sentenced as provided by law, and no cause being shown,

(Check one if applicable)

- ☐ and the court having on 10/22/2018 deferred imposition of sentence until this date 10/22/2018
- ☐ and the court having previously entered a judgment in this case on \_\_\_\_\_ now resentsences the defendant
- ☐ and the court having placed the defendant on probation/community control and having subsequently revoked the defendant's probation/community control

It Is The Sentence Of The Court That:

- ☒ The Defendant is hereby committed to the custody of the Department of Corrections.
- ☐ The defendant pay a fine pursuant to section 775.083, Florida Statutes, plus a 5% surcharge required by section 938.04 Florida Statutes, as indicated on the Fine/Costs/Fee Page.
- ☐ The defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

To Be Imprisoned:

For a term of 5.000 year(s)

In the event the defendant is ordered to serve additional split sentences, all incarcerations portions shall be satisfied before the defendant begins service to the supervision terms.