

IN THE

Provided To TOMOKA CT UNITED STATES SUPREME COURT

On 8/20/20 ju

For Mailing, by WRE CASE NO.: _____

Provided To TOMOKA CT

On 9/25/20 ju

For Mailing, by WRE

MICHAEL R. EVERETT,
PETITIONER,

VS.

THE STATE OF FLORIDA,
RESPONDENT.

ON REVIEW FROM THE SUPREME COURT OF FLORIDA

NO.: SC19-1964

APPENDIX TO
PETITION FOR WRIT OF CERTIORARI

MICHAEL R. EVERETT - K51763
TOMOKA CORRECTIONAL INST.
3950 TIGER BAY ROAD
DAYTONA BEACH, FL 32124

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APP. - ONE

APP. - A

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(SUPREME COURT ORDER - SC19-1964)
(SEE APP. - ONE, SUPRA)

Supreme Court of Florida

MONDAY, JUNE 29, 2020

CASE NO.: SC19-1964

Lower Tribunal No(s):

5D14-1645;

182007CF000022XXXXXX

MICHAEL R. EVERETT

vs. STATE OF FLORIDA

Petitioner(s)

Respondent(s)


This cause having heretofore been submitted to the Court on jurisdictional briefs and portions of the record deemed necessary to reflect jurisdiction under Article V, Section 3(b), Florida Constitution, and the Court having determined that it should decline to accept jurisdiction, it is ordered that the petition for review is denied.

No motion for rehearing will be entertained by the Court. *See* Fla. R. App. P. 9.330(d)(2).

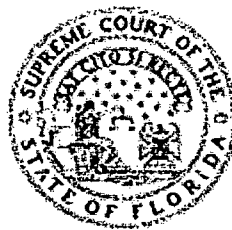
CANADY, C.J., and POLSTON, LABARGA, LAWSON, and MUÑIZ, JJ.,
concur.

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



db

Served:

WESLEY HEIDT

KRISTEN L. DAVENPORT

MICHAEL R. EVERETT

HON. DANIEL BURRELL MERRITT JR., CHIEF JUDGE

HON. SANDRA B. WILLIAMS, CLERK

HON. TOM BEXLEY, CLERK

App. F

(Fifth DCA order of denial)

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

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

MICHAEL ROBERT EVERETT,

Appellant,

v.

Case No. 5D14-1645

STATE OF FLORIDA,

Appellee.

Opinion filed May 22, 2015

Appeal from the Circuit Court
for Flagler County,
J. David Walsh, Judge.

Michael Robert Everett, Daytona Beach,
pro se.

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

HARRIS, C.M., Senior Judge.

In 2008, Michael Everett was convicted of first-degree felony murder and burglary of a dwelling with a battery while armed with a deadly weapon. This court, in *Everett v. State*, 114 So. 3d 956 (Fla. 5th DCA 2011), reversed the burglary conviction because Everett was convicted of a first-degree burglary offense when he was actually charged

APP. F

with second-degree burglary. We reversed for entry of a corrected judgment and re-sentencing.

Everett's new claims of deficient representation are either insufficient, untimely, or both.

AFFIRMED.

ORFINGER and BERGER, JJ., concur.