

APPENDIX A

Opinion of the State Appellate court (Third District Court of Appeal of Florida), dated April 1, 2020, affirming the trial court's denial of Petitioner's petition for writ of habeas corpus.

Third District Court of Appeal

State of Florida

Opinion filed April 1, 2020.
Not final until disposition of timely filed motion for rehearing.

No. 3D19-1845
Lower Tribunal No. 98-39479C

Jonnie Ravon,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Diane V. Ward,
Judge.

Jonnie Ravon, in proper person.

Ashley Moody, Attorney General, and David Llanes, Assistant Attorney
General, for appellee.

Before EMAS, C.J., and FERNANDEZ, and LINDSEY, JJ.

PER CURIAM.

Affirmed.

APPENDIX B

Order from the Circuit Court of the Eleventh Judicial Circuit in and for Miami
Dade County denying Petitioner's petition for writ of habeas corpus, dated
August 23, 2019.

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR DADE COUNTY, FLORIDA

CRIMINAL DIVISION (03)

CASE NO. F98-39479C

JUDGE WARD K. Turner 5186

JONNIE RAVON,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

FILED

AUG 23 2019

CLERK

ORDER DENYING PETITION FOR WRIT OF HABEAS CORPUS

This cause having come before this Court on Petitioner's *pro se* Petition for Writ of Habeas Corpus Based Upon Manifest Injustice filed on August 9, 2019, the Court having reviewed the Petitioner's petition and clerk's file and being otherwise fully advised of the premises, hereby DENIES the petition based on the following:

On September 18, 2000, the Petitioner was sentenced as follows:

Count 1	Aggravated Battery with a Firearm	30 years
Count 4	Attempted Armed Robbery w/Firearm	15 years
Count 5	Kidnapping with a Firearm	life
Count 7	Kidnapping with a Firearm	life
Count 8	Kidnapping with a Firearm	life
Count 11	Burglary w/Assault or Battery w/firearm	life

In this motion the Petitioner argues that the life sentences imposed in this case violate the Florida and United States Constitution because he was eighteen (18) years old at the time he committed the offenses and lacked the moral culpability of an adult. He seeks support for his position in *Roper v. Simmons*, 543 U.S. 551 (2005) where the

Supreme Court held that it was unconstitutional to impose the death penalty for defendants whose *chronological age was below eighteen*. In *Roper* the Supreme Court recognized that “[t]he qualities that distinguish juveniles from adults do not disappear when an individual turns 18,” the Court nevertheless concluded that the line must be drawn at the age of 18 because that is “the point where society draws the line for many purposes between childhood and adulthood.” *Id.* at 574, 125 S.Ct. 1183. The Petitioner in this case was eighteen at the time of the commission of the life felonies so *Roper* would not apply.

He also seeks support from *Graham v. Florida*, 560 U.S. 48 (2010) where the United States Supreme Court held that imposition of a life without parole sentence on a juvenile offender who did not commit a homicide constitutes cruel and unusual punishment. The Court reasoned that juvenile nonhomicide offenders' limited culpability, the severity of the sentence of life without parole, and the lack of penological justification for the punishment for such offenders led the Court to conclude that the sentencing practice was cruel and unusual. *Id.* at 74, 130 S.Ct. 2011. After examining the characteristics of juveniles, the Court again drew the “clear line” at the age of eighteen for the purposes of its holding because that is the point where society draws the line for many purposes between childhood and adulthood. *Id.* at 74-75, 130 S.Ct. 2011. See, *Paul v. State*, 2019 WL 3282538 (Fla. 1st DCA July 22, 2019).

Section 985.03(7) Florida Statutes defines a juvenile as “...any person under the age of 18 or any person who is alleged to have committed a violation of law occurring prior to the time that person reached the age of 18 years.” The Petitioner concedes in

his motion that he was eighteen (18) years old at the time he committed the offenses in this case, so he was considered an adult. The holdings of *Roper* and *Graham* are limited to juveniles whose chronological age is under 18 years old. See, *Romero v. State*, 105 So.3d 550 (Fla. 1st DCA 2012); *Jean-Michel v. State*, 96 So.3d 1043 (Fla. 4th DCA 2012); *Farmer v. State*, 268 So.3d 1009 (Fla. 1st DCA 2019). Based on the foregoing, it is hereby

ORDERED AND ADJUDGED that the petition is DENIED.

The Petitioner, JONNIE RAVON is hereby notified that he has the right to appeal this order to the District Court of Appeal of Florida, Third District within thirty (30) days of the signing and filing of this order. The Clerk of this Court is hereby ordered to send a copy of this order to the Petitioner, JONNIE RAVON, #M28600, Everglades Correctional Institute, 1599 SW 187th Avenue, Miami, FL 33194-2801.

DONE AND ORDERED in chambers this 23rd day of August 2019 in Miami-Dade County, Florida.


DIANE WARD
Circuit Court Judge

Copies:

Office of the State Attorney
Jonnie Ravon, *pro se*

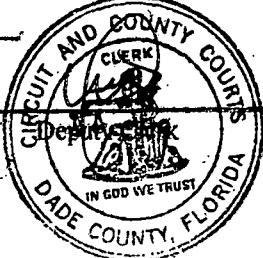
I CERTIFY that a copy of this order has been furnished to the MOVANT, Jonnie Ravon by mail this 26 day of August, 20 19.

STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY that the foregoing is a true and correct copy of the original on file in this office

AUG 26 2019

AD 20

HARVEY RUVIN, Clerk of Circuit and County Courts
Deputy Clerk Yes 875



APPENDIX C

Order from the Third District Court of Appeal denying Petitioner's motion for rehearing on April 23, 2020.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT

APRIL 23, 2020

JONNIE RAVON,
Appellant(s)/Petitioner(s),
vs.
THE STATE OF FLORIDA,
Appellee(s)/Respondent(s),

CASE NO.: 3D19-1845
L.T. NO.: 98-39479

Upon consideration, Appellant's pro se Motion for Rehearing is
hereby denied.

EMAS, C.J., and FERNANDEZ and LINDSEY, JJ., concur.



cc: David Llanes

Office of Attorney General Jonnie Ravon

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