

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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Exhibit "A1"

No. 1D21-303

ROBERT GEORGE KNECHT, JR.,

Appellant,

v.

FLORIDA DEPARTMENT OF  
CORRECTIONS, et al.,

Appellees.

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On appeal from the Circuit Court for Liberty County.  
David Michael Frank, Judge.

July 15, 2021

PER CURIAM.

AFFIRMED. *Maxwell v. Inch*, 277 So. 3d 559 (Fla. 1st DCA 2019); *Zuluaga v. State, Dep't of Corr.*, 32 So. 3d 674 (Fla. 1st DCA 2010).

ROBERTS, MAKAR, and BILBREY, 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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Robert G. Knecht, Jr., pro se, Appellant.

Ashley Moody, Attorney General, and Damaris E. Reynolds, Assistant Attorney General, Tallahassee, for Appellees.



Exhibit "M"

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT  
IN AND FOR LIBERTY COUNTY, FLORIDA

**ROBERT GEORGE KNECHT, JR.,**  
**DC # A51483,**

Plaintiff,  
vs.

CASE NO: 2020 CA 116

**DEPARTMENT OF CORRECTIONS,**  
**ET AL.,**

Defendants.

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**ORDER DISMISSING PETITION**

THIS CAUSE came before the court upon the plaintiff's Petition for Writ of Habeas Corpus, filed on December 4, 2020. Having reviewed the complaint and the applicable law, the court finds that it should be dismissed without prejudice to seek appropriate relief in the sentencing court. See Cooper v. State, 970 So. 2d 368 (Fla. 3d DCA 1997); Gill v. Jones, 41 Fla. L. Weekly D1299 (Fla. 4th DCA June 1, 2016).

The plaintiff challenges the circumstances surrounding his arrest and conviction. Claims attacking the validity of the trial and sentencing court proceedings are properly raised in a motion for post-conviction relief under Rule 3.850, Florida Rules of Criminal Procedure. It is well settled that adoption of the rule superseded habeas corpus as the method to collaterally attack a sentence or judgment of conviction. Collins v. State, 859 So. 2d 1244 (Fla. 5th DCA 2003). An application for habeas corpus may not be used to circumvent the time limitations for filing an appropriate motion for post-conviction relief. Id.

This court is without jurisdiction to review the legality of a conviction or sentence in another circuit. State v. Broom, 523 So. 2d 639 (Fla. 2d DCA 1988). Accordingly, it is clear that this court is without jurisdiction in this case.

Accordingly, the plaintiff's petition is hereby **DISMISSED** without prejudice to seek relief in his criminal case.

**DONE AND ORDERED** in Bristol, Liberty County, Florida.



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12/05/2020 09:03:04 zox0u5L

**DAVID FRANK**  
Circuit Judge

copies to:

Robert George Knecht, Jr.,  
DC # A51483  
Liberty Correctional Institution  
11064 N.W. Dempsey Barron Road  
Bristol, Florida 32321-9711

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT  
IN AND FOR LIBERTY COUNTY, FLORIDA

**ROBERT GEORGE KNECHT, JR.,**  
**DC # A51483,**

Plaintiff,  
vs.

CASE NO.: 2020 CA 116

**DEPARTMENT OF CORRECTIONS,**  
**ET AL.,**

Defendants.

**ORDER DENYING REHEARING**

THIS CAUSE came before the Court upon the plaintiff's Motion for Rehearing, filed pursuant to Rule 1.530, Florida Rules of Civil Procedure on December 23, 2020. The plaintiff seeks rehearing of the Court's December 9, 2020, Order Dismissing Petition.

Finding no legal or factual reason to recede from its Order Dismissing Petition, the Court hereby DENIES the plaintiff's Motion for Rehearing.

**DONE AND ORDERED** in Bristol, Liberty County, Florida.

  
Signed by David Frank in 20000118CAMXAX  
01/04/21 16:19:08 cwocSOQJ

**DAVID FRANK**  
Circuit Judge

Copies to:  
Robert George Knecht, DC # A51483  
Liberty Correctional Institution  
11064 N.W. Dempsey Barron Road  
Bristol, Florida 32321-9711

# Supreme Court of Florida

FRIDAY, AUGUST 13, 2021

**CASE NO.: SC21-1183**

Lower Tribunal No(s).:  
1D21-303; 392020CA000116CAAXMX

ROBERT GEORGE KNECHT JR. vs. FLORIDA DEPARTMENT OF  
CORRECTIONS ET AL.

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Petitioner(s)

Respondent(s)

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. *See Wheeler v. State*, 296 So. 3d 895 (Fla. 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

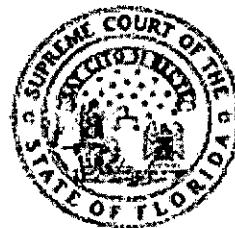
No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy

Test:



John A. Tomasino  
Clerk, Supreme Court



**CASE NO.:** SC21-1183

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Served:

LANCE ERIC NEFF  
ROBERT GEORGE KNECHT JR.  
HON. KRISTINA SAMUELS, CLERK  
HON. DANIEL STANLEY, CLERK  
HON. DAVID M. FRANK, JUDGE

**Additional material  
from this filing is  
available in the  
Clerk's Office.**