

# Supreme Court of Florida

**WEDNESDAY, AUGUST 11, 2021**

**CASE NO.: SC21-647**  
Lower Tribunal No(s).:  
1D20-3045; 162018CF008651AXXXMA

## ERNEST JUDGE SMITH III

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).

POLSTON, LABARGA, LAWSON, MUÑIZ, and GROSSHANS, JJ., concur.

**A True Copy**

### Test:

John A. Tomasino  
Clerk, Supreme Court



dl

**Served:**

DAREN L. SHIPPY  
HON. JODY PHILLIPS, CLERK  
HON. KRISTINA SAMUELS, CLERK  
HON. MARIANNE LLOYD AHO, JUDGE

## ERNEST JUDGE SMITH III

Exhibit

A

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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No. 1D20-3045

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ERNEST JUDGE SMITH III,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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On appeal from the Circuit Court for Duval County,  
Marianne L. Aho, Judge.

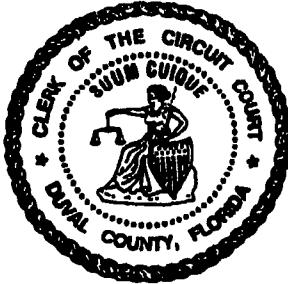
April 9, 2021

PER CURIAM.

Appellee's motion to dismiss, filed March 11, 2021, is granted. Appellant seeks review of an interlocutory order. Neither section 924.06(1), Florida Statutes, nor Florida Rule of Appellate Procedure 9.140(b) allows appeals of interlocutory orders. Therefore, this appeal is hereby dismissed for lack of jurisdiction.

KELSEY, NORDBY, and LONG, JJ., concur.

Exhibit P



IN THE CIRCUIT COURT, FOURTH  
JUDICIAL CIRCUIT, IN AND FOR  
DUVAL COUNTY, FLORIDA

CASE: 16-2018-CF-008651-AXXX-MA

DIVISION: CR-H (Circuit Court)

STATE OF FLORIDA

vs.

ERNEST JUDGE SMITH III, DEFENDANT

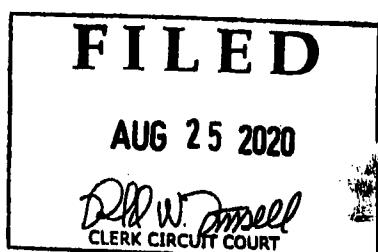
**ORDER**

THIS CAUSE COMING ON BEFORE THE COURT UPON THE  DEFENDANT'S  STATE'S  
**WRIT OF HABEAS CORPUS (PRO-SE)**

FILED HEREIN ON THE 15TH DAY OF JUNE , 2020 AND THE COURT HAVING HEARD  
ARGUMENTS OF THE STATE'S ATTORNEY AND OF COUNSEL FOR DEFENSE, AND BEING FULLY  
ADVISED IN THE PREMISES, IT IS THEREUPON

**ORDERED AND ADJUDGED THAT THE AFORESAID MOTION SHALL BE AND THE SAME  
IS HEREBY: Denied. the ruling on the record on  
8-25-2020 is incorporated by reference.**

**DONE AND ORDERED IN OPEN COURT AT JACKSONVILLE, DUVAL COUNTY, FLORIDA,  
THIS 25TH DAY OF AUGUST, 2020.**



*Marianne Lloyd Aho*  
MARIANNE L. AHO  
Circuit Judge

*Exhibit M*

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