

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.

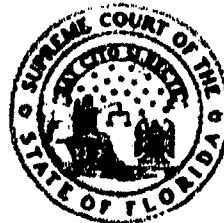
No motion for rehearing will be entertained by the Court. See Fla. R. App. P. 9.330(d)(2).

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

No. 1D20-3045

ERNEST JUDGE SMITH III,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

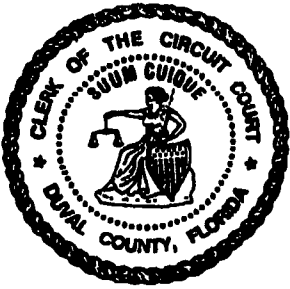
April 9, 2021

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

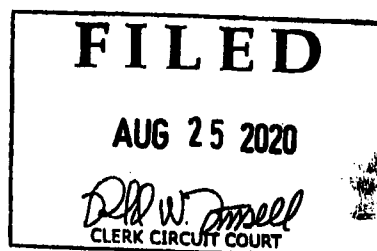
ORDER

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.**