

APPENDIX - I

Third District Court of Appeal
State of Florida

Opinion filed August 16, 2023.
Not final until disposition of timely filed motion for rehearing.

No. 3D23-599
Lower Tribunal No. F08-24373

William Garrido,
Appellant,

vs.

The State of Florida,
Appellee.

An appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from
the Circuit Court for Miami-Dade County, Cristina Miranda, Judge.

William Garrido, in proper person.

Ashley Moody, Attorney General, and Richard L. Polin, Assistant
Attorney General, for appellee.

Before EMAS, MILLER, and BOKOR, JJ.

PER CURIAM.

Affirmed.

APPENDIX - C

IN THE DISTRICT COURT OF

APPEAL

OF FLORIDA

THIRD DISTRICT

February 22, 2024

William Garrido,

3D2023-0599

Appellant(s),

Trial Court Case No. F08-24373

v.

The State of Florida,

Appellee(s).

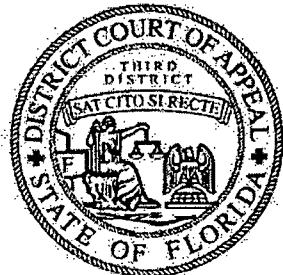
Upon consideration, pro se Appellant's Motion for Rehearing is
hereby denied.

EMAS, MILLER and BOKOR, JJ., concur.

A True Copy

ATTEST

Mercedes M. Prieto
3D2023-0599-2/22/24
Mercedes M. Prieto, Clerk
District Court of Appeal
Third District



CC: William Garrido
Office of Attorney General
Richard L. Polin

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JAN 19 REC'D

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

STATE OF FLORIDA,

CASE NO: F08024373

JUDGE: Cristina Miranda

Plaintiff,

vs.

WILLIAM GARRIDO

Defendant(s).

FILED

JAN 12 2023

CLERK

ORDER

This cause came on to be heard upon the Defendant's fourth pro se post-conviction motion, the instant successive Motion to Correct Illegal Sentence, filed pursuant to Rule 3.800(a), Fla.R.Crim.Pro. After reviewing the motion of the Defendant, and the Response of the State, and the Reply of the Defendant, and being fully apprised in the premises therein, this Court hereby DENIES the motion and further finds:

1. The sentence of the Defendant is not illegal. *Rutherford v. State*, 93 So.3d 1132 (Fla. 1st DCA 2012); *Carter v. State*, 786 So.2d 1173 (Fla. 2001); *State v. Callaway*, 658 So.2d 983 (Fla. 1995); *Judge v. State*, 596 So.2d 73 (Fla.2nd DCA 1991).
2. Any allegation of error in sentencing could have and should have been raised on direct appeal.
3. The defendant has raised no new grounds for relief.
4. The defendant has not demonstrated that the ground he is raising was unknown to him at the time he filed his initial Motion for Post-Conviction Relief. The case the defendant is relying upon, *Hatten v. State*, 203 So.3d 142 (Fla. 2016), had already been decided at the time of his direct appeal, and is factually and legally dissimilar.
5. A post-conviction proceeding is not a substitute for appeal. *Craig v. State*, 45 So.3d 1 (Fla. 3rd DCA 2010). This is the type of issue that should not be raised for the first time in a post-conviction motion. See *Krawczuk v. State*, 92 So.3d 195 (Fla. 2012); *Efraimson v. State*, 493 So.2d 79 (Fla. 4th DCA 1986).

ORDERED AND ADJUDGED this 12 day of January, 2023.

CERTIFY that a copy of this order has been furnished to

the MOVANT, William Garrido

on JAN 13 2023, 20

Cc: William Garrido, Pro

Abbe Nathan, Dade County Public Defender

1635

CIRCUIT AND COUNTY COURTS

CLERK

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CRISTINA M. MIRANDA

Court Judge

STATE OF FLORIDA, COUNTY OF MIAMI DADE

I HEREBY CERTIFY that the foregoing is a true

and correct copy of the original on file in this office

1635 JAN 13 2023 AD 20

Clerk of Circuit and County Courts

Deputy Clerk

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APPENDIX -

M A N D A T E

from

**DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
THIRD DISTRICT**

This cause having been brought to the Court by appeal, and after due consideration the Court having issued its Opinion,

YOU ARE HEREBY COMMANDED that such further proceedings be had in said cause as may be in accordance with the opinion of this Court, and with the rules of procedure and laws of the State of Florida.

WITNESS the Honorable Thomas Logue, Chief Judge of the District Court of Appeal of the State of Florida, Third District, and seal of the said Court at Miami, Florida on this day.

DATE: March 14, 2024
CASE NO.: 3D2023-0599
COUNTY OF ORIGIN: Miami-Dade County
T.C. CASE NO.: F08-24373
STYLE: William Garrido,

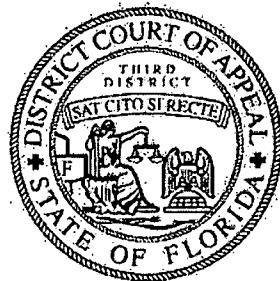
Appellant(s),

v.

The State of Florida,

Appellee(s).

3D2023-0599 March 14, 2024
Mercedes M. Prieto, Clerk
District Court of Appeal
Third District



ORIGINAL TO: Miami-Dade County Clerk

cc: Miami-Dade Clerk

William Garrido

Office of Attorney General

Richard L. Polin

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APPENDIX - D

COMPLAINT/ARREST AFFIDAVIT
CARLOS GARCIA

POLICE CASE NO.

2008-25355

OBTS NUMBER		JAIL NO. 60810								PMHD Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown		COURT CASE NO. 10824373													
SPECIAL OPERATION: <input type="checkbox"/> FELONY <input type="checkbox"/> MISDEMEANOR <input type="checkbox"/> TRAFFIC <input type="checkbox"/> JUV <input type="checkbox"/> DV <input type="checkbox"/> MOVES <input type="checkbox"/> CIV INF <input type="checkbox"/> WARRANT <input type="checkbox"/> FUGITIVE WARRANT: <input type="checkbox"/> In state. <input type="checkbox"/> Out of state		MDPD RECORDS AND ID NO.								STUDENT ID NO.		GANG ACTIVITY RELATED ARREST <input type="checkbox"/> FRAUD RELATED ARREST <input type="checkbox"/>													
IDS NO.		AGENCY CODE 02		MUNICIPAL P.D. DEF. ID NO.		ALIAS and / or STREET NAME								SIGNAL: <input type="checkbox"/> 100 <input type="checkbox"/> 150 <input type="checkbox"/> 200 <input type="checkbox"/> 300 <input type="checkbox"/> 400 <input type="checkbox"/> 500											
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DOB (MM/DD/YYYY) 03/21/1953		AGE 55		RACE: W		SEX M		ETHNICITY: Hispanic <input type="checkbox"/> Not Hispanic <input type="checkbox"/> Cuban		HEIGHT 5'07		WEIGHT 195		HAIR COLOR BLACK		HAIR LENGTH SHT		HAIR STYLE BAL		EYES BRD		GLASSES Yes <input type="checkbox"/> No <input type="checkbox"/>		FACIAL HAIR <input type="checkbox"/> TEETH <input type="checkbox"/> NONE FULL	
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PERMANENT ADDRESS (Street, Apt. Number) <input type="checkbox"/> HOMELESS <input type="checkbox"/> UNKNOWN (City) (State/Country) (Zip) ()														OCCUPATION Taxi Driver											
<input type="checkbox"/> BUSINESS OR <input type="checkbox"/> SCHOOL NAME AND ADDRESS (Street) Central Cab 740 Alton Rd. (City) Miami Beach (State/Country) Florida (Zip) 33139 ()														ADDRESS SOURCE: <input type="checkbox"/> DL <input type="checkbox"/> Verbal <input type="checkbox"/>											
DRIVER'S LICENSE NUMBER / STATE G630-920-53-101-0		SOCIAL SECURITY NO. 261-99-9365		WEAPON SEIZED? Type <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> firearm		If Def. has Concealed Weapons Permit. <input type="checkbox"/> W-222018		INDICATION OF: Y N UNK Alcohol Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Drug Influence <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>																	
ARREST DATE (MM/DD/YY) 07/03/2008		ARREST TIME (HHMM) 2358		ARREST LOCATION (Include name of business) 1100 Washington Avenue, Miami Beach (MBPD)		GRID																			
CO-DEFENDANT NAME (Last, First, Middle) 1. ()														DOB (MM/DD/YYYY)		<input type="checkbox"/> IN CUSTODY <input type="checkbox"/> FELONY <input type="checkbox"/> JUVENILE <input type="checkbox"/> AT LARGE <input type="checkbox"/> DV <input type="checkbox"/> MISDEMEANOR									
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JUV only <input type="checkbox"/> Parent <input type="checkbox"/> Guardian <input type="checkbox"/> Foster Care (Name) (Street, Apt. Number) (City) (State/Country) (Zip) (Phone) ()		Contacted? <input type="checkbox"/> Yes <input type="checkbox"/> No																							
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OBT'S NUMBER:

COMPLAINT/ARREST AFFIDAVIT
CONTINUATION

POLICE CASE NO.

JAIL NO.

600210

COURT CASE NO.

2008-25355

IDS NO.

AGENCY CODE
02

MUNICIPAL P.D. DEF. ID NO.

MPD RECORDS AND ID NO.
10821373

DEFENDANT'S NAME (LAST, FIRST, MIDDLE)

Garrido, William

DOB (MM/DD/YYYY)

03/21/1953

ADDITIONAL CO-DEFENDANT NAME (Last, First, Middle)

4. N/A

DOB (MM/DD/YYYY)

IN CUSTODY FELONY JUVENILE
 AT LARGE DV MISDEMEANOR

ADDITIONAL CO-DEFENDANT NAME (Last, First, Middle)

5. N/A

DOB (MM/DD/YYYY)

IN CUSTODY FELONY JUVENILE
 AT LARGE DV MISDEMEANOR

ADDITIONAL CHARGES

CHARGE AS:

COUNTS

FL. STATUTE NUMBER

VIOL. OF SECT

CODE OF

UCR

DV

WARRANT TYPE OR TRAFFIC CITATION

5.	<input type="checkbox"/> F.S. <input type="checkbox"/> ORD						<input type="checkbox"/> AAC <input type="checkbox"/> CAPIAS <input type="checkbox"/> BW <input type="checkbox"/> FW <input type="checkbox"/> PW <input type="checkbox"/> JUV PU <input type="checkbox"/> DAW <input type="checkbox"/> DWW <input type="checkbox"/> WRIT CASE #:
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followed. The Officers initiated a felony traffic stop on the yellow taxi matching the issued B.O.L.O. and apprehended the defendant. The defendant was transported to the station. Post-Miranda the defendant admitted to shooting the victim and the fleeing the scene. The defendant stated that he had several arguments with the victim in the past three weeks and that today when the victim followed him he armed himself prior to confronting him with the intent to kill him. Pursuant to a search warrant of the defendant's vehicle a six-shot revolver was located in a tool box in the center console. Examination of the firearm revealed four spent casings in the cylinder of the firearm. The defendant was arrested and transported to DCJ..

HOLD FOR OTHER AGENCY

VERIFIED BY

Name:

I SWEAR THAT THE ABOVE STATEMENT IS TRUE AND CORRECT.

OFFICER'S / COMPLAINANT'S SIGNATURE
Det. R. LawrenceCOURT ID NUMBER/LOC. CODE
M.B.P.D HOLD FOR BOND HEARING. DO NOT BOND OUT (Other than signature of Bond Hearing).

SWORN TO AND SUBSCRIBED BEFORE ME,

THE UNDERSIGNED AUTHORITY THIS

DAY OF

2008, IN THE CITY OF

Deputy of the Court of Common Pleas

I understand that should I wilfully fail to appear before the court as required by this notice to appear that I may be held in contempt of court and a warrant for my arrest shall be issued. Furthermore, I agree that notice concerning the time, date, and place of all court hearings should be sent to the above address. I agree that it is my responsibility to notify Clerk of the Court (Juvenile or Juvenile Division) anytime that my address changes.

You need not appear in court, but must comply with the instructions on the reverse side hereof.

Signature of Defendant / Juvenile and Parent or Guardian

APPENDIX - F



Florida Department of Agriculture and Consumer Services
CHARLES H. BRONSON, Commissioner
The Capitol • Tallahassee, FL 32399-0800

Please Respond to:
Division of Licensing
Post Office Box 3168
Tallahassee, FL 32315-3168
(850) 245-5491 • Fax (850) 245-5502

CERTIFIED MAIL

Pre-Trial Detention Center, #080060210
William Garrido
1321 NW 13th Street
Miami, Florida 33125

RE: CW200802590
W 2220193

Dear Mr. Garrido:

You are hereby notified that, pursuant to Section 790.06(3), Florida Statutes, the Florida Department of Agriculture and Consumer Services, Division of Licensing (Division) has suspended your Concealed Weapon or Firearm License based upon the following:

On or about July 4, 2008 in Miami-Dade County, Florida, you were arrested for or formally charged with 2nd degree murder.

You must return the license to the Division immediately. Pursuant to section 790.01, Florida Statutes, the carrying of a concealed weapon or firearm with a suspended license is a crime punishable as provided in sections 775.082, 775.083, and 775.084, Florida Statutes.

The suspension will be in effect until you provide the Division with written proof that you were acquitted or that the disposition of the charges does not affect your eligibility for licensure. Should the disposition of the charges affect your eligibility for licensure, pursuant to Section 790.06, Florida Statutes, the Division will issue an administrative complaint, which may result in the revocation of your license.

In accordance with Section 120.57, Florida Statutes, you may request a formal or informal hearing by completing the enclosed Election of Rights form and filing it with the Division within twenty-one (21) days of receipt of this notice. If you request a formal hearing, you must also send a statement of the material facts alleged in this notice that you dispute.

Failure to file the Election of Rights form with the Division of Licensing within twenty-one (21) days of receipt of this notice shall be considered a waiver of your right to a hearing.



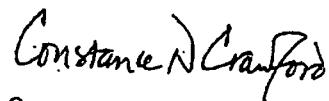
Florida Agriculture and Forest Products
\$97 Billion for Florida's Economy
<http://mylicensesite.com>

and shall result in this notice becoming final agency action twenty-one (21) days from receipt.

If this notice becomes final agency action, you may appeal to an appellate court by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 within thirty (30) days of final agency action.

If you have any questions regarding this notice, please contact the Legal Support Section at (850) 245-5491.

Dated this 9th day of July, 2008



Constance N. Crawford, Director
Division of Licensing

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of this Notice of Suspension has been furnished by return receipt mail on this 9th day of July, 2008 to: Pre-Trial Detention Center, #080060210 William Garrido; 1321 N W 13th Street; Miami, Florida 33125.



Michael T. McGuckin
Assistant General Counsel
Department of Agriculture and
Consumer Services, Division of
Licensing
P.O. Box 3168
Tallahassee, Florida 32315-3168
(850) 245-5491

CWNOS

APPENDIX - F

FLORIDA DEPARTMENT OF CORRECTIONS

/2022

11:15

IRNO601

INMATE MANAGEMENT PLAN

PAGE: 1

DC#: M10135	NAME: GARRIDO, WILLIAM	TRD: 06/23/2048	85% DATE: 06/25/2042
R/S: W/M	LOCATION: MADISON C.I.	BED: K1138S	TEAM: 03

EXTERNAL STATUS: ACTIVE	AM JOB: LAW CLERK - CERTIFIE	CUSTODY : CLOSE
INTERNAL STATUS: GENERAL POPULATION	PM JOB: LAW CLERK - CERTIFIE	VISIT STATUS : APPROVED

ASSESSMENT DATE: 07/26/2022 ASSESSED BY: CS08 - CALDWELL, S.L.
 FACILITY WHERE ASSESSED: 216 MADISON C.I.
 PERIOD OF ASSESSMENT: FROM: 07/26/2021 TO: 07/26/2022
 CUSTODY DURING ASSESSMENT: CLOSE

REVIEW PERIOD ADJUSTMENT

AVERAGE RATINGS

WORK/PROGRAM ASSIGNMENTS: ABOVE SATISFACTORY
 HOUSING/SECURITY: ABOVE SATISFACTORY

TRANSFER DATA

GOOD ADJUSTMENT TRANSFER: N/A
 EDUCATION/VOCATION TRANSFER: N/A

DISCIPLINARY RECORD

MAJOR DR'S THIS PERIOD: 0
 MINOR DR'S THIS PERIOD: 0
 TOTAL DR'S THIS PERIOD: 0
 TOTAL DR'S SINCE ADMISSION: 0

GAIN TIME RECORDS

EARNED G/T THIS PERIOD: 00000
 G/T LOSS THIS PERIOD: 00000
 G/T NET AWARD THIS PERIOD: 00000
 G/T EARNED SINCE ADMISSION: 00000
 G/T LOSS SINCE ADMISSION: 00000
 G/T NET AWARD SINCE ADMISSION: 00000

OVERALL ADJUSTMENT THIS PERIOD: ABOVE SATISFACTORY

INTERESTS AND MOTIVATION

WORK ASSIGNMENT INTERESTS:

1. LAW CLERK - CERTIFIED
2. N/A
3. N/A

PROGRAMMING INTERESTS:

1. ACADEMIC EDUCATION
2. BUS/ELECT VC
3. N/A

FAITH BASED PROGRAMMING: N

MOTIVATION ASSESSMENT: GOOD

SI PROGRAMMING: N

INTEREST IN VET DORM PROGRAM: N

RE-ENTRY FACILITY PROGRAMMING: Y

INTEREST IN INCENTIVIZED PRISON: A

P.R.I.D.E. ASSIGNMENT: N

THIS INMATE MANAGEMENT PLAN SHOWS YOUR OVERALL ADJUSTMENT DURING THE STATED REVIEW PERIOD. YOU ARE ENCOURAGED TO REMAIN DR FREE, MAINTAIN POSITIVE INSTITUTIONAL ADJUSTMENT AND STRIVE FOR POSITIVE REVIEWS IN YOUR SECURITY AND WORK OR PROGRAM RATINGS. YOU ARE ENCOURAGED TO PARTICIPATE IN SUBSTANCE ABUSE, EDUCATIONAL, VOCATIONAL AND RE-ENTRY PROGRAMS AS THEY BECOME AVAILABLE TO YOU. THESE PROGRAMS WILL HELP YOU FACILITATE A SUCCESSFULL TRANSITION BACK TO SOCIETY AND YOU WILL BE ASSESSED FOR THESE PROGRAMS WITHIN A CERTAIN TIME FRAME PRIOR TO RELEASE WHICH WILL BE BASED, IN PART, ON YOUR ADJUSTMENT, NEEDS AND PROGRAM AVAILABILITY.

CLASSIFICATION OFFICER COMMENTS

YOUR EMERGENCY CONTACT INFORMATION HAS BEEN VERIFIED. IF THERE ARE ANY CHANGES TO YOUR EMERGENCY CONTACT INFORMATION NOTIFY CLASSIFICATION DEPARTMENT IMMEDIATELY. OPEN HOUSE IS EVERY THURSDAY FOR TEAM 3 TO DISCUSS YOUR CONCERNs.