

Supreme Court of Florida

FRIDAY, FEBRUARY 9, 2018

CASE NO.: SC17-2034

Lower Tribunal No(s).:
361995CF000911000ACH

JOSHUA D. NELSON

vs. JULIE L. JONES, ETC.

Petitioner(s)

Respondent(s)

Petitioner Joshua D. Nelson, a prisoner under a sentence of death, has filed a petition for writ of habeas corpus contending that he is entitled to relief pursuant to *McCloud v. State*, 208 So. 3d 668 (Fla. 2016). Having considered the petition, the response, and the reply, the petition is hereby denied. *See id.* at 689 n.5 (noting that a codefendant's ineligibility as a matter of law to receive the death penalty does not provide a basis for concluding that a defendant's death sentence is disproportionate); *Jeffries v. State*, 222 So. 3d 538, 547 (Fla. 2017) (noting that a relative culpability analysis cannot be performed if a codefendant is ineligible for the death penalty because of age or intellectual disability).

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND,
IF FILED, DETERMINED.

LABARGA, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, POLSTON,
and LAWSON, JJ., concur.

A True Copy

Test:



John A. Tomasino
Clerk, Supreme Court



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