

Supreme Court of Florida

FRIDAY, JANUARY 26, 2018

CASE NO.: SC17-2032

Lower Tribunal No(s):
171991CF000373XXXBXX

ANTONIO LEBARON MELTON vs. JULIE L. JONES, ETC.

Petitioner(s)

Respondent(s)

Petitioner Antonio Lebaron Melton, a prisoner under a sentence of death, has filed a successive petition for writ of habeas corpus contending that he is entitled to relief pursuant to McCloud v. State, 208 So. 3d 668 (Fla. 2016) (plurality opinion). Having considered the petition, the response, and the reply, the petition is hereby denied. See Jeffries v. State, 222 So. 3d 538, 547 (Fla. 2017) (plurality opinion) (noting that the Court has “historically refused to review the relative culpability of codefendants when a codefendant pleads guilty and receives a lesser sentence as a result”); see also Melton v. State, 638 So. 2d 927, 929 (Fla. 1994) (“[T]he evidence is clear that Melton held a .38-caliber gun on Carter and fired the fatal shot.”); Melton v. State, 949 So. 2d 994, 1012 (Fla. 2006) (“Melton . . . testified to th[e] jury that he was the triggerman. Thus, his role in the crime was already established.”); Melton v. State, 193 So. 3d 881, 885-86 (Fla. 2016) (noting that “the gun . . . Melton used fired the fatal shot. Additionally, the State presented evidence that Melton was found in possession of the gun, and the blood of the victim, who was shot at close range, was found on Melton’s person.”).

The motion to dismiss is denied as moot.

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IF FILED, DETERMINED.

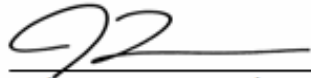
LABARGA, C.J., and PARIENTE, LEWIS, QUINCE, CANADY, POLSTON,
and LAWSON, JJ., concur.

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Test:



John A. Tomasino
Clerk, Supreme Court



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