

DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

Joseph Michael Howard v. The State of Florida

No. 3D23-1737 · No. 3D23-1737 · Decided April 2, 2025

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed April 2, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D23-1737 Lower Tribunal No. AGLZEUE _____ Joseph Michael Howard, Appellant, vs. The State of Florida, Appellee. An Appeal from the County Court for Miami-Dade County, Cristina Rivera Correa, Judge.

Carlos J. Martinez, Public Defender, and Jennifer Thornton, Assistant Public Defender, for appellant. James Uthmeier, Attorney General and Linda Katz, Assistant Attorney General, for appellee. Before EMAS, LINDSEY and LOBREE, JJ. PER CURIAM. Affirmed. See § 322.34(2)(a)–(c), Fla. Stat. (2022) (providing that “[a]ny person... who does not have a driver license or driving privilege but is under suspension or revocation equivalent status as defined in s. 322.01(42)... who, knowing of such... revocation equivalent status, drives any motor vehicle upon the highways of this state while such license or privilege is canceled, suspended, or revoked, or while under suspension or revocation equivalent status, commits” either a misdemeanor or felony); § 322.34(3), Fla. Stat. (2022) (“In any proceeding for a violation of this section, a court may consider evidence, other than that specified in subsection (2), that the person knowingly violated this section.”); *Turner v. State*, 50 Fla. L. Weekly D385, D387 (Fla.

3d DCA Feb. 12, 2025) (“[U]nless the evidence was insufficient to show that any crime had been committed, claims of insufficient evidence must be properly preserved.” (quoting *Monroe v. State*, 191 So. 3d 395, 400 (Fla. 2016))); see also *Ramirez v. State*, 388 So. 3d 1075, 1075–1076 (Fla. 3d DCA 2024). 2