

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Travon Wilds v. State of Florida

Wilds · No. 3D24-0205 · Decided November 12, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed the judgment in Travon Wilds’s criminal appeal. The court concluded that any improper prosecutorial comment during closing argument did not constitute fundamental error, citing Florida precedent concerning the effect of such comments on the verdict and fairness of trial.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Chief Judge SCALES; Judge MILLER; Judge BOKOR
JURISDICTION	Third District Court of Appeal of Florida
DECIDED	November 12, 2025
DOCKET	3D24-0205
DISPOSITION	affirmed
PROCEDURAL POSTURE	Criminal appeal from the Circuit Court for Miami-Dade County concerning alleged prosecutorial misconduct in closing argument.
STANDARD OF REVIEW	Appellate review of alleged fundamental error in prosecutorial closing argument, including whether the improper comment affected the validity of the trial such that the jury could not have reached its verdict without the comment.
PRECEDENTIAL VALUE	published
PARTIES	Travon Wilds v. State of Florida

TOPICS

- prosecutorial misconduct
- harmless error
- criminal procedure
- appellate procedure

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice

QUESTIONS PRESENTED

1. Whether the prosecutor's alleged improper comment during closing argument constituted fundamental error requiring reversal.
2. Whether the alleged closing-argument error affected the validity of the trial or contributed to the jury's verdict.

HOLDINGS

1. The alleged improper closing-argument comment did not warrant reversal under the fundamental-error standard, and the judgment was affirmed.

KEY QUOTATIONS

“fundamental error occurs in closing argument where the improper comment “affected the validity of [the defendant’s] trial such that, but for the comment, the jury could not have reached the verdict it did”” (slip op. at 2)

“Because the evidence of Jones’ guilt was compelling and overwhelming, we hold that the prosecutor’s comments did not so impair the fairness of the trial as to constitute fundamental error.” (slip op. at 2)

FACTUAL BACKGROUND

The opinion concerns an alleged improper prosecutorial remark during closing argument in Wilds's criminal trial. The court's two-page per curiam opinion does not describe the underlying evidence or charges in detail. It affirmed after citing cases addressing when an improper closing argument constitutes fundamental error and whether the comment contributed to the jury's verdict.

PROCEDURAL HISTORY

Wilds appealed from a decision of the Circuit Court for Miami-Dade County. The Third District Court of Appeal affirmed per curiam, relying on precedent addressing fundamental error and the effect of improper prosecutorial comments during closing argument.

DISPOSITION

affirmed

CASES CITED

- Talley v. State, 260 So. 3d 562, 572 (Fla. 3d DCA 2019)
- Lammons v. State, 246 So. 3d 524, 527 (Fla. 3d DCA 2018)
- Jones v. State, 666 So. 2d 995, 998 (Fla. 5th DCA 1996)

OPINION

Travon Wilds v. State of Florida

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed November 12, 2025. Not final until

disposition of timely filed motion for rehearing. _____ No. 3D24-0205 Lower Tribunal No. F20-16097B _____ Travon Wilds, Appellant, vs. State of Florida, Appellee. An Appeal from the Circuit Court for Miami-Dade County, Teresa Mary Pooler, Judge. Eugene F. Zenobi, Office of Criminal Conflict and Civil Regional Counsel, Third Region, and Kristen Kawass, Assistant Regional Counsel, for appellant. James Uthmeier, Attorney General, and Katryna Santa Cruz, Assistant Attorney General, for appellee. Before SCALES, C.J., and MILLER and BOKOR, JJ. PER CURIAM. Affirmed. See *Talley v. State*, 260 So. 3d 562, 572 (Fla. 3d DCA 2019) (explaining that fundamental error occurs in closing argument where the improper comment “affected the validity of [the defendant’s] trial such that, but for the comment, the jury could not have reached the verdict it did”); *Lammons v. State*, 246 So. 3d 524, 527 (Fla. 3d DCA 2018) (concluding that the prosecutor’s improper remark during closing argument did not contribute to the jury’s verdict where the defendant was “charged with, and the state argued that he should be convicted of, second-degree murder, but the jury came back with the lesser-included offense of manslaughter”); *Jones v. State*, 666 So. 2d 995, 998 (Fla. 5th DCA 1996) (“Because the evidence of Jones’ guilt was compelling and overwhelming, we hold that the prosecutor’s comments did not so impair the fairness of the trial as to constitute fundamental error.”). 2