

FIRST DISTRICT COURT OF APPEAL OF FLORIDA

Saini v. State of Florida

No. 1D2023-2507 (Fla. 1st DCA June 11, 2025) · No. 1D2023-2507 · Decided June 11, 2025

SUMMARY

The First District Court of Appeal of Florida denied rehearing and substituted an opinion affirming Gurleen Kaur Saini’s petit-theft conviction. The court held that the defendant’s on-the-record exchange with defense counsel, conducted in the trial court’s presence, established a voluntary, knowing, and intelligent waiver of the constitutional right to a jury trial. The court concluded that the absence of a waiver colloquy conducted directly by the judge did not require reversal.

CASE DETAILS

COURT	First District Court of Appeal of Florida
WRITING FOR THE COURT	Nordby, J.; Rowe, J.; Winokur, J.
JURISDICTION	First District Court of Appeal of Florida
DECIDED	June 11, 2025
DOCKET	1D2023-2507
DISPOSITION	affirmed
PROCEDURAL POSTURE	Saini appealed her petit-theft conviction and sentence after a county-court bench trial, arguing that the absence of an oral or written jury-trial waiver required reversal and a new trial. The appeal was decided on the State's motion for rehearing, and the court withdrew and substituted its prior opinion.
PRECEDENTIAL VALUE	Published
PARTIES	Gurleen Kaur Saini v. State of Florida

TOPICS

- criminal procedure
- sixth amendment
- appellate procedure

PRACTICE AREAS

- criminal procedure
- constitutional law
- appellate procedure

QUESTIONS PRESENTED

1. Whether a defendant's waiver of the constitutional right to a jury trial is valid when the on-the-record waiver inquiry is conducted by defense counsel rather than directly by the trial court.
2. Whether the absence of a separate oral or written waiver by the trial court required reversal of the bench-trial conviction.

HOLDINGS

1. A defendant's jury-trial waiver is sufficient when an on-the-record inquiry conducted by defense counsel in the trial court's presence establishes that the defendant understood the right, the nature of a bench trial, and the consequences of waiving a jury, even if the trial judge did not personally conduct the colloquy.
2. The Constitution does not require reversal merely because defense counsel, rather than the trial judge, conducted the on-the-record inquiry, where the inquiry occurred in the trial court's presence and demonstrated the defendant's understanding of the right and waiver consequences.

KEY QUOTATIONS

“A defendant’s waiver of her constitutional right to a jury trial must be “voluntary, knowing, and intelligent.”” (at 1)

“Although a defendant’s oral waiver may suffice, it must follow a colloquy in which the court establishes that the waiver is knowingly and intelligently made.” (at 1)

“An inquiry by counsel in the trial court’s presence showing that Saini understood her rights and the consequences of waiving those rights fails to establish any error.” (at 2)

FACTUAL BACKGROUND

Saini was arrested and charged with petit theft of less than \$100 for stealing a license-plate decal. Before trial, defense counsel and the court discussed proceeding with a bench trial, and counsel conducted an on-the-record inquiry with Saini after she was sworn. Saini confirmed that she understood the judge would determine both the facts and the law, that there would be no jury, that counsel had discussed potential benefits of a bench trial, and that her waiver decision was informed. The court conducted a bench trial, found her guilty, and imposed probation, community service, and costs.

PROCEDURAL HISTORY

Saini was charged with petit theft after being arrested for stealing a license-plate decal. Following an on-the-record inquiry conducted by defense counsel in the trial court's presence, she proceeded with a bench trial and was found guilty. The County Court for Alachua County sentenced her to six months of supervised probation, twenty-five community-service hours, and court costs. The First District Court of Appeal denied rehearing, withdrew its April 9, 2025 opinion, substituted this opinion, and affirmed.

DISPOSITION

affirmed

CASES CITED

- Tucker v. State, 559 So. 2d 218 (Fla. 1990)
- Brady v. United States, 397 U.S. 742 (1970)
- Sansom v. State, 642 So. 2d 631 (Fla. 1st DCA 1994)
- Johnson v. State, 994 So. 2d 960 (Fla. 2008)

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