

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Roberto Gil v. The State of Florida

No. 3D22-1265 · No. No. 3D22-1265 · Decided June 11, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed the denial of Roberto Gil’s timely motion for postconviction relief. The court found no error in the trial court’s handling of Gil’s ineffective-assistance claims, including its grant of relief on one claim and denial of relief on the others.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Chief Judge Logue; Judge Lindsey; Judge Gordo
JURISDICTION	Florida Third District Court of Appeal
DECIDED	June 11, 2025
DOCKET	No. 3D22-1265
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal, conducted pursuant to Anders v. California, from the denial of a timely-filed motion for postconviction relief.
STANDARD OF REVIEW	The appellate court reviewed the denial of postconviction relief for error.
PRECEDENTIAL VALUE	published
PARTIES	Roberto Gil v. The State of Florida

TOPICS

- post-conviction relief
- ineffective assistance
- appellate procedure
- criminal procedure

PRACTICE AREAS

- Criminal procedure
- Postconviction relief
- Ineffective assistance of counsel
- Appellate procedure

QUESTIONS PRESENTED

- Whether the trial court erred in denying Gil’s remaining claims for postconviction relief.

HOLDINGS

1. The trial court did not err in denying the remaining postconviction claims, and the denial of postconviction relief was affirmed.

FACTUAL BACKGROUND

Gil filed a timely motion for postconviction relief asserting claims including ineffective assistance of counsel. The trial court permitted him to supplement inadequate pleadings, conducted evidentiary hearings on certain issues, granted relief on one claim by resetting that charge for trial, and denied relief on the remaining claims.

PROCEDURAL HISTORY

Gil sought postconviction relief in the Circuit Court for Miami-Dade County. The trial court found that he satisfied the first but not the second Strickland prong on the relevant claims, held evidentiary hearings where appropriate, granted relief on one claim and reset that charge for trial, and denied relief on the remaining claims. Gil appealed, and the Third District Court of Appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- Anders v. California, 386 U.S. 738 (1967)
- Strickland v. Washington, 466 U.S. 668 (1984)