

DISTRICT COURT OF APPEAL OF FLORIDA, SECOND DISTRICT

Rodney Allen Dawson v. State of Florida

No. 2D2023-1231 (Fla. 2d DCA Feb. 11, 2026) · No. 2D2023-1231 · Decided February 11, 2026

SUMMARY

The Florida Second District Court of Appeal reviewed Rodney Allen Dawson's sentences for kidnapping and sexual battery arising from 1994 offenses. The court held that the trial court did not adequately explain its ruling on Dawson's motion for a downward departure under the two-step analysis required by Banks v. State. It affirmed the convictions, reversed the sentences, and remanded for resentencing with appropriate findings.

CASE DETAILS

COURT	District Court of Appeal of Florida, Second District
WRITING FOR THE COURT	Per Curiam; Lucas, C.J.; Villanti, J.; Smith, J.
JURISDICTION	Florida District Court of Appeal, Second District
DECIDED	February 11, 2026
DOCKET	2D2023-1231
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Dawson appealed his judgment and sentences for sexual battery and kidnapping, challenging the denial of his motion for a downward departure from the sentencing guidelines.
STANDARD OF REVIEW	The legal-ground and factual-support component of a downward-departure ruling is reviewed as a mixed question of law and fact: the appellate court determines whether the trial court applied the correct rule of law and whether competent substantial evidence supports the ruling. The decision whether to depart, after a valid legal ground and factual support are established, is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published Florida District Court of Appeal opinion
PARTIES	Rodney Allen Dawson v. State of Florida

TOPICS

- sentencing
- sentencing guidelines
- appellate procedure
- standard of review
- remedies

PRACTICE AREAS

criminal sentencing

criminal procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court erred by failing to clearly address Dawson's motion for a downward departure and to identify which step of the required two-step analysis it was applying.
2. Whether the sentences should be vacated and remanded for resentencing when the record does not establish whether the trial court understood its authority to depart or would have imposed the same sentence after properly applying the departure analysis.

HOLDINGS

1. A trial court ruling on a motion for downward departure must first determine whether a valid legal ground and adequate factual support exist and, if so, must separately determine whether departure is the appropriate sentencing option by weighing the totality of the circumstances.
2. When the record does not clarify whether the trial court rejected a downward-departure motion because it lacked authority, because the evidence was insufficient, or because it exercised discretion not to depart, the sentence must be reversed or vacated and remanded for resentencing.
3. On remand, the trial court must apply the Banks two-step analysis and make any necessary findings; it may determine, after consulting counsel, whether a new sentencing hearing is necessary or whether it can rule on the existing record.

KEY QUOTATIONS

“When ruling on a motion for downward departure, the trial court must engage in a two-step process:” (at 2)

“When it is unclear from the record whether the trial court would have imposed the same sentence if the trial court had known it had discretion, we must vacate the defendant's sentence and remand the case for resentencing.” (at 3)

FACTUAL BACKGROUND

The offenses occurred in August 1994, when Dawson was nineteen. After a jury trial, the trial court imposed concurrent terms of 126 months' imprisonment followed by probation for kidnapping and sexual battery. Dawson sought a downward departure based on specialized treatment for addiction, mental disorder, or physical disability and also sought youthful-offender sentencing. He presented testimony from a licensed mental health counselor, but the trial court's oral pronouncement did not explain whether it found no legal authority to depart, found insufficient factual support, or exercised discretion not to depart.

PROCEDURAL HISTORY

Following a jury trial, the circuit court adjudicated Dawson guilty of one count of sexual battery and one count of kidnapping and imposed concurrent sentences of 126 months' imprisonment followed by probation on each count. Before sentencing, Dawson moved for a downward departure based on specialized treatment needs and

also sought youthful-offender sentencing. The trial court denied or failed to clearly address the downward-departure motion, and Dawson appealed. The Second District affirmed the convictions, reversed the sentences, and remanded for resentencing.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the sentences and remand for the trial court to apply the Banks two-step downward-departure analysis and make any necessary findings. The trial court may, after consulting counsel, conduct a new sentencing hearing or rule on the existing record. Dawson's convictions are unaffected.

CASES CITED

- Banks v. State, 732 So. 2d 1065, 1067–68 (Fla. 1999)
- Geske v. State, 378 So. 3d 1199, 1205 (Fla. 2d DCA 2024)
- Butner v. State, 217 So. 3d 1162, 1164 (Fla. 2d DCA 2017)
- Williams v. State, 286 So. 3d 892, 898 (Fla. 2d DCA 2019)
- Camacho v. State, 164 So. 3d 45, 48–49 (Fla. 2d DCA 2015)
- Manyak v. State, 414 So. 3d 263, 265 (Fla. 2d DCA 2025)