

DISTRICT COURT OF APPEAL OF FLORIDA, FIRST DISTRICT

McInnis v. State of Florida

No. 1D2023-2714 (Fla. 1st DCA Apr. 16, 2025) · No. No. 1D2023-2714 · Decided April 16, 2025

SUMMARY

The Florida First District Court of Appeal affirmed Anthony Malachi McInnis’s judgment and sentence for first-degree murder and theft. On rehearing, the court substituted a clarified opinion and held that the evidence was sufficient to support a finding of premeditation, including the defendant’s statements, the crime-scene evidence, blood-spatter evidence, and bullet trajectories. The court rejected the remaining appellate challenges concerning the jury instruction and the State’s closing arguments.

CASE DETAILS

COURT	District Court of Appeal of Florida, First District
WRITING FOR THE COURT	Rowe, J.; Rowe; Winokur; Nordby
JURISDICTION	Florida First District Court of Appeal
DECIDED	April 16, 2025
DOCKET	No. 1D2023-2714
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from judgment and sentence for first-degree murder and theft
STANDARD OF REVIEW	De novo review of trial court's ruling on motion for judgment of acquittal
PRECEDENTIAL VALUE	Published
PARTIES	Anthony Malachi McInnis v. State of Florida

TOPICS

- criminal procedure
- evidence
- appellate procedure
- self defense

PRACTICE AREAS

- criminal law
- appellate practice

QUESTIONS PRESENTED

1. Whether trial court erred in denying motion for judgment of acquittal on first-degree murder charge
2. Whether trial court erred in instructing jury on aggressor portion of standard jury instruction for justifiable use of deadly force
3. Whether trial court erred in overruling objection to State's comments during closing arguments

HOLDINGS

1. Trial court did not err in denying motion for judgment of acquittal because competent, substantial evidence supported finding of premeditation.

FACTUAL BACKGROUND

Defendant and victim were friends who sold marijuana together. Their relationship soured before the shooting. On the day of shooting, defendant texted his girlfriend he was 'about to do some hot shit.' Defendant visited victim's apartment, shot victim twice in the head while victim was lying in bed, stole victim's jewelry, watch, guns, and safe. Defendant initially lied to police, then claimed self-defense, but physical evidence contradicted his account.

PROCEDURAL HISTORY

Defendant was convicted by jury of first-degree murder and theft. Trial court denied motions for judgment of acquittal and new trial. Defendant appealed, arguing trial court erred in denying JOA motion.

DISPOSITION

affirmed

CASES CITED

- Bradwell v. State, 300 So. 3d 325 (Fla. 1st DCA 2020)
- Walker v. State, 957 So. 2d 560 (Fla. 2007)
- Taylor v. State, 316 So. 3d 420 (Fla. 1st DCA 2021)
- Twilegar v. State, 42 So. 3d 177 (Fla. 2010)
- McMillian v. State, 94 So. 3d 572 (Fla. 2012)
- Asay v. State, 580 So. 2d 610 (Fla. 1991)
- Beasley v. State, 774 So. 2d 649 (Fla. 2000)
- McInnis v. State, No. 1D23-2714, 2025 WL 699793 (Fla. 1st DCA Mar. 5, 2025)