

FLORIDA THIRD DISTRICT COURT OF APPEAL

Javares Maurice Kendrick v. State of Florida

Kendrick · No. 3D25-1811 · Decided December 10, 2025

SUMMARY

The Third District Court of Appeal of Florida denied Javares Maurice Kendrick's petition for writ of prohibition in an original criminal proceeding. The court cited the substantial deference afforded to a trial court's determination that a mistrial was a manifest necessity, particularly when based on potential jury prejudice.

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed December 10, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D25-1811 Lower Tribunal No. AFHMUJE _____ Javares Maurice Kendrick, Petitioner, vs. State of Florida, Respondent. A Case of Original Jurisdiction – Prohibition. Carlos J. Martinez, Public Defender, and Maria E. Lauredo, Chief Assistant Public Defender, for petitioner.

James Uthmeier, Attorney General, and Daniel Colmenares, Assistant Attorney General, for respondent. Before FERNANDEZ, GORDO and BOKOR, JJ. PER CURIAM. Denied. See *Quinones v. State*, 766 So. 2d 1165, 1172 n.9 (Fla. 3d DCA 2000) (explaining that a trial court's determination "that mistrial was a manifest necessity deserves great deference," especially when "the grounds for the mistrial relate to jury prejudice, for the trial judge is in a peculiarly good position to observe the jurors, the witnesses and the attorneys in order to evaluate the extent of the prejudice" (quoting *Clark v. State*, 756 So.

2d 244, 246 (Fla. 5th DCA 2000))); see also *Arizona v. Washington*, 434 U.S. 497, 513 (1978) ("[T]he trial judge must have the power to declare a mistrial in appropriate cases. The interest in orderly, impartial procedure would be impaired if he were deterred from exercising that power by a concern that any time a reviewing court disagreed with his assessment of the trial situation a retrial would automatically be barred.").