

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Clifton Sheppard v. State of Florida

No. 3D25-1039 (Fla. 3d DCA Aug. 6, 2025) · No. No. 3D25-1039 · Decided August 6, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed the denial of Clifton Sheppard's post-conviction appeal under Florida Rule of Appellate Procedure 9.141(b)(2). The court relied on precedent holding that a life sentence is not unconstitutionally indefinite under article I, section 17 of the Florida Constitution.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Emas; Gordo; Lobree
JURISDICTION	Third District Court of Appeal of Florida
DECIDED	August 6, 2025
DOCKET	No. 3D25-1039
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County.
PRECEDENTIAL VALUE	Published opinion; precedential status is identified as published in the supplied metadata.
PARTIES	Clifton Sheppard v. State of Florida

TOPICS

- appellate procedure
- sentencing
- criminal procedure
- constitutional law
- post-conviction relief

PRACTICE AREAS

- Criminal procedure
- Appellate procedure
- Sentencing
- Post-conviction relief

QUESTIONS PRESENTED

- Whether a life sentence constitutes impermissibly indefinite imprisonment under article I, section 17 of the Florida Constitution.

HOLDINGS

1. A life sentence is not impermissible indefinite imprisonment under article I, section 17 of the Florida Constitution.

KEY QUOTATIONS

“A life sentence is not impermissible ‘indefinite imprisonment’ under the Florida Constitution.” (at 2)

“Any sentence, even one of a short duration, can potentially exceed a defendant's life span. The fact that the judicial system has no way of knowing how long the defendant will live and therefore cannot know how long the defendant will be incarcerated does not render a life sentence unconstitutionally indefinite.” (at 2)

“It is abundantly clear that the Legislature, by prescribing a sentence of life imprisonment, intends that the defendant remain in prison for the rest of his life. The term ‘life’ is sufficiently definite so that it can be understood and applied.” (at 2)

FACTUAL BACKGROUND

The opinion contains no substantive factual narrative. The appeal concerns the constitutionality of a life sentence under the Florida Constitution, specifically whether a life sentence constitutes impermissibly indefinite imprisonment.

PROCEDURAL HISTORY

Clifton Sheppard appealed to the Third District Court of Appeal from a circuit-court proceeding identified by lower tribunal number F97-29169A. The district court affirmed without further discussion, relying on *Padgett v. State* and *Ratliff v. State*.

DISPOSITION

affirmed

CASES CITED

- *Padgett v. State*, No. 3D25-349, 2025 WL 1172840, at *1 (Fla. 3d DCA Apr. 23, 2025)
- *Ratliff v. State*, 914 So. 2d 938, 940 (Fla. 2005)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed August 6, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D25-1039 Lower Tribunal No. F97-29169A _____ Clifton Sheppard, Appellant, vs. State of Florida, Appellee. An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Ramiro C. Areces, Judge.

Clifton Sheppard, in proper person. James Uthmeier, Attorney General, for appellee. Before EMAS, GORDO and LOBREE, JJ. PER CURIAM. Affirmed. See Padgett v. State, No. 3D25-349, — So. 3d —, 2025 WL 1172840, at *1 (Fla. 3d DCA April 23, 2025) (“A life sentence is not impermissible ‘indefinite imprisonment’ under the Florida Constitution. Art. I, § 17, Fla. Const.” (citing Ratliff v. State, 914 So.

2d 938, 940 (Fla. 2005) (“Any sentence, even one of a short duration, can potentially exceed a defendant's life span. The fact that the judicial system has no way of knowing how long the defendant will live and therefore cannot know how long the defendant will be incarcerated does not render a life sentence unconstitutionally indefinite. It is abundantly clear that the Legislature, by prescribing a sentence of life imprisonment, intends that the defendant remain in prison for the rest of his life.

The term ‘life’ is sufficiently definite so that it can be understood and applied.”))) (additional citations omitted). 2