

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Jesse Alberto Loor v. State of Florida

Loor v. State · No. 3D24-1129 · Decided October 8, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed the summary denial of Jesse Alberto Loor’s Florida Rule of Criminal Procedure 3.850 motion alleging ineffective assistance of counsel. The court concluded that the claims were either legally insufficient or conclusively refuted by the record.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Gordo, J.; Miller, J.; Gooden, J.
JURISDICTION	Third District Court of Appeal of Florida
DECIDED	October 8, 2025
DOCKET	3D24-1129
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the summary denial of a motion for post-conviction relief under Rule 3.850.
STANDARD OF REVIEW	The appellate court reviewed the summary denial of the Rule 3.850 motion and affirmed because the claims were legally insufficient or conclusively refuted by the record.
PRECEDENTIAL VALUE	published
PARTIES	Jesse Alberto Loor v. State of Florida

TOPICS

- post-conviction relief
- ineffective assistance
- appellate procedure
- criminal procedure
- standard of review

PRACTICE AREAS

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

QUESTIONS PRESENTED

1. Whether the circuit court properly summarily denied Loor's Rule 3.850 motion alleging ineffective assistance of counsel.

HOLDINGS

1. Summary denial was proper because Loor's claims were either legally insufficient or conclusively refuted by the record.

KEY QUOTATIONS

“Because Loor’s claims were either legally insufficient or conclusively refuted by the record, we affirm.”

FACTUAL BACKGROUND

Loor sought post-conviction relief under Rule 3.850, alleging ineffective assistance of counsel. The appellate opinion does not describe the underlying criminal facts or the specific ineffective-assistance allegations. The court determined that the claims were either legally insufficient or conclusively refuted by the record.

PROCEDURAL HISTORY

Loor moved for post-conviction relief based on ineffective assistance of counsel. The Circuit Court for Miami-Dade County summarily denied the motion, and Loor appealed. The Third District Court of Appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- Maxwell v. State, 937 So. 2d 216, 216 (Fla. 3d DCA 2006)
- Franqui v. State, 59 So. 3d 82, 96 (Fla. 2011)
- Rodriguez v. State, 219 So. 3d 751, 756 (Fla. 2017)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed October 8, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D24-1129 Lower Tribunal No. F10-27774 _____ Jesse Alberto Loor, 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, Marisa Tinkler Mendez, Judge.

W. Charles Fletcher (Jacksonville), for appellant. James Uthmeier, Attorney General, and Ivy R. Ginsberg, Assistant Attorney General, for appellee. Before MILLER, GORDO and GOODEN, JJ. GORDO, J. Jesse Alberto Loor (“Loor”) appeals the summary denial of his Rule 3.850 motion for post-conviction relief based on ineffective assistance of counsel.

We have jurisdiction. Fla. R. App. P. 9.140(b)(1)(D). Because Loor's claims were either legally insufficient or conclusively refuted by the record, we affirm. See *Maxwell v. State*, 937 So. 2d 216, 216 (Fla. 3d DCA 2006) ("The defendant appeals the trial court's summary denial of his motion for post conviction relief alleging ineffective assistance of trial counsel.

The defendant's claims are legally insufficient and conclusively refuted by the record."); *Franqui v. State*, 59 So. 3d 82, 96 (Fla. 2011) (recognizing that "mere conclusory allegations" are insufficient to state a claim under rule 3.850); *Rodriguez v. State*, 219 So. 3d 751, 756 (Fla. 2017) ("We affirm the summary denial below because Rodriguez's claims are conclusively refuted by the record.").

Affirmed. 2