

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Rodney Robinson v. State of Florida

No. 3D23-1254 · No. 3D23-1254 · Decided October 8, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed Rodney Robinson’s conviction and sentence for sexual battery of a minor. The court held that admitting rape-treatment-center records, sample labels, and DNA-testing evidence did not violate the Confrontation Clause because the challenged information was not admitted for the truth of the bodily-location assertions and the testifying analyst independently retested the samples. A concurring judge agreed with the result but concluded that any confrontation error was harmless beyond a reasonable doubt.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Judge Logue; Judge Emas; Judge Gordo
JURISDICTION	Third District Court of Appeal of Florida
DECIDED	October 8, 2025
DOCKET	3D23-1254
DISPOSITION	affirmed
PROCEDURAL POSTURE	Robinson appealed his conviction and sentence for sexual battery from the Circuit Court for Miami-Dade County, arguing that admission of rape-treatment-center records, sample labels, and DNA-testing evidence violated the Sixth and Fourteenth Amendments' Confrontation Clause.
STANDARD OF REVIEW	De novo review of the preserved constitutional Confrontation Clause issue; any constitutional error is subject to harmless-error analysis, according to the concurring opinion.
PRECEDENTIAL VALUE	Published state intermediate appellate opinion
PARTIES	Rodney Robinson v. State of Florida

TOPICS

- sixth amendment
- evidence
- criminal procedure
- fourteenth amendment
- appellate procedure

PRACTICE AREAS

criminal law

criminal procedure

constitutional law

evidence

QUESTIONS PRESENTED

1. Whether admitting sample labels and statements in the rape treatment center report concerning the locations from which samples were taken violated Robinson's Confrontation Clause rights when the trial court instructed the jury not to consider those materials for the truth of the asserted locations.
2. Whether Analyst Alvarez's testimony violated the Confrontation Clause because she relied in part on an unavailable serologist's preliminary identification of the samples as semen.
3. Whether the judgment of conviction and sentence should be affirmed.

HOLDINGS

1. The admission of the labels and statements did not violate the Confrontation Clause because they were not admitted for the truth of the locations from which the samples were taken; instead, they explained Analyst Alvarez's testing process.
2. Alvarez's testimony did not violate the Confrontation Clause because she retested the samples, testified to her own methodology and conclusions, and could have performed her own DNA extraction without relying on the prior serology result.

KEY QUOTATIONS

"The Confrontation Clause 'bars the admission at trial of 'testimonial statements' of an absent witness unless she is 'unavailable to testify, and the defendant ha[s] had a prior opportunity' to cross-examine her.'" (8)

"Because the Confrontation Clause applies only to out-of-court statements that are used to establish the truth of the matter asserted, and the trial court ordered the jury to not rely on the labels and statements for the truth of where on L.J.'s body the samples were obtained, the admission of the labels and statements did not violate the Confrontation Clause." (9)

"Smith's Sixth Amendment rights were violated because the substitute expert served merely as the missing expert's 'mouthpiece.'" (11)

"Analyst Alvarez's crucial testimony reflects there was a DNA match between the sample obtained from the victim and the oral swab obtained from Robinson, and Robinson had a full opportunity to examine Analyst Alvarez on her findings in this regard." (12)

FACTUAL BACKGROUND

The victim, a sixteen-year-old minor, testified that Robinson entered her mother's apartment, threatened her with a firearm, and sexually assaulted her. Afterward, law-enforcement and rape-treatment-center personnel observed a white substance on or near the victim's legs, and samples were collected during the medical examination. The initial serology analyst was unavailable at trial, so Analyst Alvarez retested the samples, used the preliminary serology results to select a semen-specific DNA test, and testified that the DNA matched Robinson's oral swab.

The trial court instructed the jury not to treat sample labels or report statements as proof of the body locations from which the samples were taken.

PROCEDURAL HISTORY

Following a jury trial, Robinson was convicted of sexual battery and sentenced. The trial court admitted portions of the rape treatment center report as business records, admitted bodily-fluid samples and DNA-test evidence, denied Robinson's motion for judgment of acquittal, and entered judgment. Robinson timely appealed. The Third District Court of Appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- Ohio v. Clark, 576 U.S. 237, 243 (2015)
- Smith v. Arizona, 602 U.S. 779, 783-84, 792-93, 800 (2024)
- Crawford v. Washington, 541 U.S. 36, 53-54 (2004)
- Melendez-Diaz v. Massachusetts, 557 U.S. 305, 307, 329 (2009)
- Davis v. Washington, 547 U.S. 813, 823 (2006)
- Bullcoming v. New Mexico, 564 U.S. 647, 666 (2011)
- State v. DiGuilio, 491 So. 2d 1129 (Fla. 1986)
- Johnson v. State, 53 So. 3d 1003, 1011 (Fla. 2011)
- Corona v. State, 64 So. 3d 1232, 1241 (Fla. 2011)
- State v. Contreras, 979 So. 2d 896, 911 (Fla. 2008)
- Williams v. State, 947 So. 2d 517 (Fla. 3d DCA 2006)