

FLORIDA THIRD DISTRICT COURT OF APPEAL

Kenya Ramsey v. State of Florida

Ramsey · No. No. 3D26-0388 · Decided May 13, 2026

SUMMARY

The Third District Court of Appeal of Florida affirmed the denial of Kenya Ramsey's post-conviction appeal under Florida Rule of Appellate Procedure 9.141(b)(2). The court held that the record presented no legal basis for relief and rejected reliance on the concept of manifest injustice to overcome procedural bars.

CASE DETAILS

COURT	Florida Third District Court of Appeal
WRITING FOR THE COURT	SCALES, C.J.; LINDSEY, J.; GOODEN, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	May 13, 2026
DOCKET	No. 3D26-0388
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Monroe County.
PRECEDENTIAL VALUE	published
PARTIES	Kenya Ramsey v. State of Florida

TOPICS

- state post-conviction relief
- post-conviction relief
- appellate procedure
- criminal procedure
- preservation of error

PRACTICE AREAS

- criminal procedure
- post-conviction relief
- appellate procedure

QUESTIONS PRESENTED

1. Whether Ramsey established a legal basis for post-conviction relief despite a procedural bar.

2. Whether an assertion of manifest injustice permits the court to excuse the procedural bars applicable to post-conviction claims.

HOLDINGS

1. Ramsey failed to establish a legal basis for relief, and the appellate court affirmed.
2. The mere incantation of the words manifest injustice does not overcome the procedural bars applicable to post-conviction claims.

KEY QUOTATIONS

“The mere incantation of the words ‘manifest injustice’ does not make it so. [Appellant] has failed to allege any facts—nor can he—to justify invoking the extremely limited concept of manifest injustice to excuse a procedural bar and allow us to review the merits of his instant claim.” (2)

“The term ‘manifest injustice,’ which has been acknowledged as an exception to procedural bars to postconviction claims in only the rarest and most exceptional of situations, now is abused widely by postconviction litigants.” (2)

FACTUAL BACKGROUND

The opinion concerns Ramsey's post-conviction challenge arising from Monroe County criminal case No. 96-CF-859-A-K. Ramsey sought appellate relief despite a procedural bar, invoking the concept of manifest injustice. The appellate court concluded that the record supplied no legal basis to excuse the procedural bar or grant relief.

PROCEDURAL HISTORY

Ramsey appealed from a post-conviction proceeding in the Circuit Court for Monroe County, case No. 96-CF-859-A-K. The Third District Court of Appeal found no legal basis to grant relief and affirmed.

DISPOSITION

affirmed

CASES CITED

- Garcia-Manriquez v. State, 317 So. 3d 1203, 1203 (Fla. 3d DCA 2021)
- Beiro v. State, 289 So. 3d 511, 511-12 (Fla. 3d DCA 2019)
- Cuffy v. State, 190 So. 3d 86, 87 (Fla. 4th DCA 2015)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed May 13, 2026. Not final until disposition of timely filed motion for rehearing. _____ No. 3D26-0388 Lower

Tribunal No. 96-CF-859-A-K _____ Kenya Ramsey, Appellant, vs. State of Florida, Appellee. An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Monroe County, Mark H. Jones, Judge.

Kenya Ramsey, in proper person. James Uthmeier, Attorney General, for appellee. Before SCALES, C.J., and LINDSEY, and GOODEN, JJ. PER CURIAM. Upon our review of the record, we find no legal basis to grant Appellant relief.

As such, we affirm. See *Garcia-Manriquez v. State*, 317 So. 3d 1203, 1203 (Fla. 3d DCA 2021) (first quoting *Beiro v. State*, 289 So. 3d 511, 511– 12 (Fla. 3d DCA 2019) (“The mere incantation of the words ‘manifest injustice’ does not make it so. [Appellant] has failed to allege any facts—nor can he—to justify invoking the extremely limited concept of manifest injustice to excuse a procedural bar and allow us to review the merits of his instant claim.”); and then quoting *Cuffy v. State*, 190 So.

3d 86, 87 (Fla. 4th DCA 2015) (“The term ‘manifest injustice,’ which has been acknowledged as an exception to procedural bars to postconviction claims in only the rarest and most exceptional of situations, now is abused widely by postconviction litigants. Courts are routinely confronted with untimely and successive postconviction challenges, which cavalierly attempt to circumvent the bars simply by asserting ‘manifest injustice.’ However, rule 3.850 contains no ‘manifest injustice’ exception to the rule’s time limitation or bar against filing successive postconviction motions.”)).

Affirmed. 2