

**DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT**

**Victor A. Huerte v. Ricky Dixon, Secretary, Department of  
Corrections, et al.**

No. 3D25-0647; Lower Tribunal No. F07-1958-C · No. No. 3D25-0647 · Decided September 3, 2025

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**SUMMARY**

The Third District Court of Appeal of Florida denied Victor A. Huerte's petition for habeas corpus after determining that it was without merit. The court relied on precedent holding that alleged Vienna Convention violations may be procedurally barred when not raised on direct appeal and that the petitioner must establish standing and prejudice.

**OPINION**

**PER CURIAM.**

Third District Court of Appeal State of Florida Opinion filed September 3, 2025. Not final until disposition of timely filed motion for rehearing. \_\_\_\_\_ No. 3D25-0647 Lower Tribunal No. F07-1958-C \_\_\_\_\_ Victor A. Huerte, Petitioner, vs. Ricky Dixon, Secretary Department of Corrections, et al., Respondent. A Case of Original Jurisdiction – Habeas Corpus.

Victor A. Huerte, in proper person. James Uthmeier, Attorney General, and Kayla Heather McNab, Assistant Attorney General, for respondent. Before EMAS, LOBREE and GOODEN, JJ. PER CURIAM. Having reviewed the petition for habeas corpus and determined it to be without merit, it is hereby denied. See *Gordon v. State*, 863 So. 2d 1215, 1221 (Fla. 2003) (holding alleged violation of Vienna Convention was procedurally barred where not raised on direct appeal, and petitioner failed to establish he had standing to assert such claim); *Maharaj v. State*, 778 So.

2d 944, 959 (Fla. 2000) (same); see also *Darling v. State*, 808 So. 2d 145, 166 (Fla. 2002) (holding petitioner failed to demonstrate he was prejudiced from a purported violation of the Vienna Convention). 2