

FLORIDA THIRD DISTRICT COURT OF APPEAL

Jonathan Powell v. State of Florida

No. No. 3D25-2367, Florida Third District Court of Appeal (January 28, 2026)

SUMMARY

The Third District Court of Appeal of Florida affirmed the denial of Jonathan Powell’s post-conviction motion under Florida Rule of Criminal Procedure 3.800(a). The court relied on precedent holding that alleged defects in the procedure used to impose a sentence, including deficiencies in the charging document, do not constitute an illegal sentence cognizable under that rule.

CASE DETAILS

COURT	Florida Third District Court of Appeal
WRITING FOR THE COURT	SCALES, C.J.; EMAS, J.; FERNANDEZ, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	January 28, 2026
DOCKET	No. 3D25-2367
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from an order of the Miami-Dade County Circuit Court denying post-conviction sentencing relief.
PRECEDENTIAL VALUE	Published opinion; precedential value subject to Florida law governing published per curiam decisions.
PARTIES	Jonathan Powell v. State of Florida

TOPICS

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

PRACTICE AREAS

- criminal procedure
- post-conviction relief
- sentencing

QUESTIONS PRESENTED

1. Whether a challenge to the procedure used to impose a sentence, based on an alleged technical defect in the charging document, constitutes an illegal-sentence claim cognizable under Florida Rule of Criminal

Procedure 3.800(a).

HOLDINGS

1. A challenge to the procedure used to impose a sentence, including a claim that the charging document failed to allege facts necessary to support an enhanced or mandatory minimum sentence, is not an illegal-sentence claim cognizable under Florida Rule of Criminal Procedure 3.800(a). The denial of Powell's relief was therefore affirmed.

KEY QUOTATIONS

“ “[A] claim that the charging document did not allege the facts necessary to support [the] enhanced sentence is precisely the type of technical deficiency in the sentencing procedure that the supreme court held is not cognizable in a rule 3.800(a) motion.” ” (at 2)

FACTUAL BACKGROUND

The opinion contains no substantive factual description beyond identifying Powell's appeal from the denial of post-conviction sentencing relief. The authorities relied upon concern challenges to mandatory minimum sentences based on alleged technical defects in charging documents. The court affirmed without separately recounting the underlying offense or sentencing facts.

PROCEDURAL HISTORY

Jonathan Powell appealed from the Miami-Dade County Circuit Court's denial of post-conviction relief. The Third District Court of Appeal affirmed, relying on precedent holding that a challenge to a sentencing procedure based on a technical defect in the charging document is not an illegal-sentence claim cognizable under Florida Rule of Criminal Procedure 3.800(a).

DISPOSITION

affirmed

CASES CITED

- Martinez v. State, 211 So. 3d 989, 990-92 (Fla. 2017)
- Louis v. State, 394 So. 3d 104 (Fla. 3d DCA 2024)
- Cabrera v. State, 352 So. 3d 512, 514 (Fla. 2d DCA 2022)
- Robinson v. State, 215 So. 3d 1262 (1st DCA 2017)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed January 28, 2026. Not final until disposition of timely filed motion for rehearing. _____ No. 3D25-2367 Lower Tribunal No. F08-20997 _____ Jonathan Powell, 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, Richard Hersch, Judge.

Jonathan Powell, in proper person. James Uthmeier, Attorney General, and Kayla Heather McNab, Assistant Attorney General, for appellee. Before SCALES, C.J., and EMAS and FERNANDEZ, JJ. PER CURIAM. Affirmed. See *Martinez v. State*, 211 So. 3d 989, 990-92 (Fla. 2017) (defendant challenged the procedure that led to the imposition of his mandatory minimum sentence, arguing he was deprived of due process by an alleged technical defect in the charging document; the Court affirmed the trial court's order denying relief, holding that such a challenge to the procedure employed to impose the punishment does not constitute an "illegal sentence" subject to correction under Florida Rule of Criminal Procedure 3.800(a)); *Louis v. State*, 394 So.

3d 104 (Fla. 3d DCA 2024); *Cabrera v. State*, 352 So. 3d 512, 514 (Fla. 2d DCA 2022) ("[A] claim that the charging document did not allege the facts necessary to support [the] enhanced sentence is precisely the type of technical deficiency in the sentencing procedure that the supreme court held is not cognizable in a rule 3.800(a) motion."); *Robinson v. State*, 215 So.

3d 1262 (1st DCA 2017). 2