

FIRST DISTRICT COURT OF APPEAL OF FLORIDA

Stanley Tyron Harris v. State of Florida

Harris v. State · No. No. 1D20-589 · Decided September 22, 2021

SUMMARY

The First District Court of Appeal of Florida affirmed the denial of Stanley Tyron Harris’s presentence motion to withdraw his guilty plea to third-degree murder and discharging a firearm from a vehicle. The court also affirmed the sentencing procedure, holding that the trial court acted within its discretion in excluding defense expert testimony it deemed irrelevant to the negotiated sentence.

CASE DETAILS

COURT	First District Court of Appeal of Florida
WRITING FOR THE COURT	M.K. Thomas, J.; B.L. Thomas, J.; Osterhaus, J.
JURISDICTION	Florida
DECIDED	September 22, 2021
DOCKET	No. 1D20-589
DISPOSITION	affirmed
PROCEDURAL POSTURE	Harris appealed from a judgment and sentence entered after the trial court denied his presentence motion to withdraw a negotiated guilty plea and declined to hear defense-expert testimony during sentencing.
STANDARD OF REVIEW	A denial of a presentence motion to withdraw a plea is reviewed for abuse of discretion; factual findings supporting the decision are affirmed if supported by competent, substantial evidence. The trial court's decision to exclude sentencing evidence as irrelevant is also reviewed for abuse of discretion.
PRECEDENTIAL VALUE	published opinion
PARTIES	Stanley Tyron Harris v. State of Florida

TOPICS

- plea bargaining
- criminal procedure
- sentencing
- evidence
- appellate procedure

PRACTICE AREAS

- criminal law
- criminal procedure
- plea withdrawal
- sentencing

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by denying Harris's presentence motion to withdraw his negotiated guilty plea under Florida Rule of Criminal Procedure 3.170(f).
2. Whether the trial court erred by declining to hear defense-expert testimony concerning whether Harris's firearm fired the fatal bullet during sentencing.

HOLDINGS

1. The trial court did not abuse its discretion in denying Harris's presentence motion to withdraw his guilty plea because Harris failed to establish good cause. The trial court reasonably found that his claimed misunderstanding was not credible, that the trajectory analysis was not newly discovered, and that his alleged reliance on the prosecutor's factual-basis statement was inconsistent with his admission that he had agreed to the plea beforehand.
2. The trial court did not abuse its discretion by refusing to hear defense-expert testimony about whether Harris fired the fatal bullet because the evidence was not relevant to the negotiated sentence and the court had no discretion to deviate from the agreed-upon term.

KEY QUOTATIONS

“Only where a defendant shows that there is “good cause” to withdraw a plea is a trial court required to grant such a presentence motion.” (4)

“Thus, a sentencing court is required to entertain certain submissions and evidence, but only if they are relevant to the sentence.” (6)

FACTUAL BACKGROUND

Harris participated in a gun sale in a shopping-center parking lot and provided protection while an associate conducted the sale. When the prospective buyers robbed the associate, a crossfire followed, and a bullet struck and killed a seven-year-old girl sitting in a nearby car. Harris pleaded guilty to third-degree murder and discharging a firearm from a vehicle for a negotiated twenty-five-year sentence, later claiming that misunderstandings about bullet and casing evidence and a trajectory analysis affected his plea. His defense expert sought to testify at sentencing that Harris's gun did not fire the fatal bullet, but the trial court found that evidence irrelevant because the sentence was negotiated and fixed.

PROCEDURAL HISTORY

Harris pleaded guilty to third-degree murder and discharging a firearm from a vehicle in exchange for a negotiated twenty-five-year prison sentence, with sentencing postponed for two months. Before sentencing, he moved to withdraw the plea, asserting misunderstandings about ballistic evidence, prosecutorial misstatements, and newly obtained expert analysis. The trial court denied the motion, found no good cause, limited the presentation of defense expert testimony at sentencing as irrelevant to the negotiated sentence, and imposed the agreed-upon twenty-five-year sentence. The First District Court of Appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- Scott v. State, 629 So. 2d 888, 890 (Fla. 4th DCA 1993)
- Tanzi v. State, 964 So. 2d 106, 113-14 (Fla. 2007)
- Stephens v. State, 748 So. 2d 1028, 1034 (Fla. 1999)
- Salazar v. State, 991 So. 2d 364, 372 (Fla. 2008)
- Hutto v. State, 232 So. 3d 528, 529 (Fla. 1st DCA 2017)
- Hodierne v. State, 141 So. 3d 1254, 1255 (Fla. 2d DCA 2014)

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