

SIXTH DISTRICT COURT OF APPEAL OF FLORIDA

Derrick L. Lowe v. State of Florida

Lowe v. State · No. 6D2025-0755 · Decided May 29, 2026

SUMMARY

The Sixth District Court of Appeal of Florida affirmed the denial of Derrick L. Lowe's post-conviction appeal arising from a Polk County criminal case. The court cited Ratliff v. State for the principle that a sentence of life imprisonment means imprisonment for the remainder of the defendant's life.

CASE DETAILS

COURT	Sixth District Court of Appeal of Florida
WRITING FOR THE COURT	Stargel, J.; Mize, J.; Brownlee, J.
JURISDICTION	Sixth District Court of Appeal, State of Florida
DECIDED	May 29, 2026
DOCKET	6D2025-0755
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal pursuant to Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Polk County.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Derrick L. Lowe v. State of Florida

TOPICS

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

PRACTICE AREAS

- Florida criminal procedure
- post-conviction appellate procedure
- sentencing

QUESTIONS PRESENTED

- Whether the circuit court's ruling should be affirmed in this appeal under Florida Rule of Appellate Procedure 9.141(b)(2), in light of the governing rule that a sentence of life imprisonment means imprisonment for the remainder of the defendant's life.

HOLDINGS

1. A sentence of life imprisonment requires that the defendant remain imprisoned for the rest of his life, and the term "life" is sufficiently definite to be understood and applied.

KEY QUOTATIONS

“[T]he Legislature, by prescribing a sentence of life imprisonment, intends that the defendant remain in prison for the rest of his life. The term ‘life’ is sufficiently definite so that it can be understood and applied.”

FACTUAL BACKGROUND

The opinion contains no substantive factual narrative. It identifies the underlying circuit-court case number as 1997-CF-001109 and resolves the appeal by affirming the lower court.

PROCEDURAL HISTORY

Lowe appealed a ruling of the Circuit Court for Polk County to the Sixth District Court of Appeal under Florida Rule of Appellate Procedure 9.141(b)(2). The district court affirmed per curiam.

DISPOSITION

affirmed

CASES CITED

- Ratliff v. State, 914 So. 2d 938, 940 (Fla. 2005)

OPINION

PER CURIAM.

SIXTH DISTRICT COURT OF APPEAL STATE OF FLORIDA
_____ Case No. 6D2025-0755 Lower Tribunal No. 1997-CF-001109
_____ DERRICK L. LOWE, Appellant, v. STATE OF FLORIDA,
Appellee. _____ Appeal pursuant to Fla. R. App. P. 9.141(b)(2) from
the Circuit Court for Polk County. Michelle O. Pincket, Judge.

May 29, 2026 PER CURIAM. AFFIRMED. See Ratliff v. State, 914 So. 2d 938, 940 (Fla. 2005) (“[T]he Legislature, by prescribing a sentence of life imprisonment, intends that the defendant remain in prison for the rest of his life.

The term ‘life’ is sufficiently definite so that it can be understood and applied.”). STARGEL, MIZE and BROWNLEE, JJ., concur. Derrick L. Lowe, Bushnell, pro se. James Uthmeier, Attorney General, Tallahassee, and Marilyn Frances Muir, Chief Assistant Attorney General, Tampa, for Appellee. NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING AND DISPOSITION THEREOF IF TIMELY FILED

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