

SIXTH DISTRICT COURT OF APPEAL OF FLORIDA

Shahzad Nazir Sayed v. State of Florida

Sayed · No. 6D2023-0826 · Decided December 5, 2025

SUMMARY

The Sixth District Court of Appeal of Florida affirmed Shahzad Nazir Sayed’s sentence following his no contest plea to aggravated manslaughter of a child. The court upheld the denial of a downward departure sentence and the challenged cost imposition, while certifying conflict with decisions from the First and Second District Courts of Appeal.

CASE DETAILS

COURT	Sixth District Court of Appeal of Florida
WRITING FOR THE COURT	Per Curiam; Smith, J.; Mize, J.; Gannam, J.
JURISDICTION	Florida Sixth District Court of Appeal
DECIDED	December 5, 2025
DOCKET	6D2023-0826
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a sentence entered after Appellant's no contest plea to one charge of aggravated manslaughter of a child.
PRECEDENTIAL VALUE	Published; conflict certified
PARTIES	Shahzad Nazir Sayed v. State of Florida

TOPICS

- sentencing
- appellate jurisdiction
- appellate procedure
- criminal procedure

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate practice

QUESTIONS PRESENTED

- Whether the trial court erred in denying Appellant's request for a downward departure sentence.
- Whether the challenged cost imposition in the sentencing judgment was improper because the judgment failed to cite the applicable authority.

HOLDINGS

1. The court had jurisdiction over the appeal as it pertained to the denial of the downward departure and found no error in the trial court's denial of the request.
2. The court affirmed the cost imposition for the reasons stated in *Kim v. State* and *Spiro v. State*.

FACTUAL BACKGROUND

Appellant entered a no contest plea to one charge of aggravated manslaughter of a child. Following the plea, the trial court imposed a sentence, denied Appellant's request for a downward departure, and included a cost imposition in the sentencing judgment. Appellant challenged both the denial of the downward departure and the authority cited for the cost.

PROCEDURAL HISTORY

Sayed pleaded no contest to aggravated manslaughter of a child in the Circuit Court for Charlotte County. The trial court denied his request for a downward departure sentence and imposed a cost for which Appellant argued the judgment failed to cite applicable authority. He appealed to the Florida District Court of Appeal; the case was transferred from the Second District Court of Appeal to the Sixth District on January 1, 2023.

DISPOSITION

affirmed

CASES CITED

- *Caviness v. State*, No. 23-3661, 2025 WL 2737847, at *1 (Fla. 6th DCA Sept. 26, 2025)
- *Kim v. State*, No. 24-0197, 2025 WL 2884470, *1 (Fla. 6th DCA Oct. 10, 2025)
- *Spiro v. State*, 418 So. 3d 316 (Fla. 6th DCA 2025)
- *Dibelka v. State*, 326 So. 3d 835 (Fla. 2d DCA 2021)
- *R.T.D. v. State*, 679 So. 2d 1263 (Fla. 2d DCA 1996)
- *Williams v. State*, 285 So. 3d 1003 (Fla. 1st DCA 2019)

OPINION

Shahzad Nazir Sayed v. State of Florida

PER CURIAM.

SIXTH DISTRICT COURT OF APPEAL

STATE OF FLORIDA

_____ Case No. 6D2023-0826 Lower Tribunal No. 20-1910F

SHAHZAD NAZIR SAYED,

Appellant, v.

STATE OF FLORIDA,

Appellee. _____ Appeal from the Circuit Court for Charlotte County. Scott H. Cupp, Judge. December 5, 2025 PER CURIAM. Appellant, Shahzad Nazir Sayed (“Appellant”), appeals his sentence entered following his no contest plea to one charge of aggravated manslaughter of a child. 1 Appellant argues that the trial court erred by denying his request for a downward departure sentence, and that one of the cost impositions in the judgment for his sentence fails to cite to the applicable authority for the cost. 1 This case was transferred from the Second District Court of Appeal to this Court on January 1, 2023. We determine that we have jurisdiction over Appellant’s appeal as it pertains to the denial of his request for a downward departure, *Caviness v. State*, No. 23- 3661, 2025 WL 2737847, at *1 (Fla. 6th DCA Sept. 26, 2025), but we find no error in the trial court’s denial of the request. Therefore, we affirm on that issue. As to the cost imposition, we affirm on that issue for the reasons set forth in *Kim v. State*, No. 24-0197, 2025 WL 2884470, *1 (Fla. 6th DCA Oct. 10, 2025), and *Spiro v. State*, 418 So. 3d 316 (Fla. 6th DCA 2025). We also certify this decision to be in direct conflict with *Dibelka v. State*, 326 So. 3d 835 (Fla. 2d DCA 2021), *R.T.D. v. State*, 679 So. 2d 1263 (Fla. 2d DCA 1996), and *Williams v. State*, 285 So. 3d 1003 (Fla. 1st DCA 2019). AFFIRMED. CONFLICT CERTIFIED. SMITH, MIZE and GANNAM, JJ., concur. Michael Ufferman, of Michael Ufferman Law Firm, P.A., Tallahassee, for Appellant. James Uthmeier, Attorney general, Tallahassee, and Wendy Buffington, Senior Assistant Attorney General, Tampa, for Appellee.

NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING
AND DISPOSITION THEREOF IF TIMELY FILED