

DISTRICT COURT OF APPEAL OF FLORIDA, SECOND DISTRICT

Sawyers v. State of Florida

Sawyers · No. 2D2024-0520 · Decided February 27, 2026

SUMMARY

The Florida Second District Court of Appeal affirmed Tyler Cordell Sawyers's judgment and twenty-five-year mandatory minimum sentence for aggravated battery with a firearm. The court held that the information's omission of causal language linking the firearm discharge to the victim's great bodily harm was, at most, a technical defect that was not preserved by contemporaneous objection and did not constitute fundamental error. The court rejected reliance on Florida Rule of Criminal Procedure 3.800(b) and certified conflict with *Espinoza v. State*.

CASE DETAILS

COURT	District Court of Appeal of Florida, Second District
WRITING FOR THE COURT	Labrit, J.; Rothstein-Youakim, J.; Silberman, J.
JURISDICTION	Florida District Court of Appeal, Second District
DECIDED	February 27, 2026
DOCKET	2D2024-0520
DISPOSITION	affirmed
PROCEDURAL POSTURE	Sawyers appealed his judgment and twenty-five-year mandatory minimum sentence for aggravated battery with a firearm, arguing that the charging information failed to allege the causal language required for the sentencing enhancement. The issue was not raised in the trial court but was later asserted in a Florida Rule of Criminal Procedure 3.800(b)(2) motion.
STANDARD OF REVIEW	The court reviewed the unpreserved charging-document claim for fundamental error and considered whether the alleged sentencing error was cognizable under Florida Rule of Criminal Procedure 3.800(b).
PRECEDENTIAL VALUE	published; conflict certified
PARTIES	Tyler Cordell Sawyers v. State of Florida

TOPICS

- criminal procedure
- sentencing
- preservation of error
- appellate procedure
- statutory interpretation

PRACTICE AREAS

criminal law

criminal procedure

sentencing

appellate procedure

QUESTIONS PRESENTED

1. Whether the information's failure to allege that great bodily harm resulted from Sawyers's discharge of the firearm rendered the charging document fundamentally defective.
2. Whether the unpreserved challenge to the information could be raised through a Florida Rule of Criminal Procedure 3.800(b)(2) motion.
3. Whether Sawyers was entitled to relief because the charging omission deprived him of notice or caused actual prejudice to the fairness of the trial.

HOLDINGS

1. The information was not substantively defective because it alleged the elements of aggravated battery and alleged both firearm discharge and great bodily harm; the omission of the phrase connecting the discharge to the harm was, at most, a technical defect concerning the sentencing enhancement.
2. The unpreserved defect was not fundamental error because Sawyers had clear and repeated notice that conviction would result in a twenty-five-year mandatory minimum sentence and the record did not show denial of due process or actual prejudice.
3. Rule 3.800(b)(2) did not preserve or authorize the charging-document challenge because the alleged defect was a pretrial pleading defect, not a sentencing error arising from the sentencing process.
4. *Espinoza v. State* did not require reversal because it did not address preservation, fundamental error, or Rule 3.800(b), and its charging allegations differed materially from those in Sawyers's case.

KEY QUOTATIONS

“Rule 3.800(b) was never intended to allow a party to raise posttrial challenges to defects that were discoverable from the outset, and it certainly does not license counsel to forgo a contemporaneous objection—or, as occurred here, to affirmatively agree that the court lacked discretion—only to raise the point later on paper.” (6)

“Because there was no judicial error to correct, and because the issue now raised was neither preserved nor shown to be fundamental, we decline to disturb the judgment and sentence.” (6)

FACTUAL BACKGROUND

The information charged Sawyers with aggravated battery causing great bodily harm and alleged that, during the battery, he possessed and discharged a handgun. It did not expressly allege that the great bodily harm resulted from the firearm discharge or cite section 775.087(2)(a)3. Before trial and sentencing, the State, trial court, defense counsel, and Sawyers repeatedly acknowledged that a conviction would carry a twenty-five-year mandatory minimum, and Sawyers rejected plea offers with that understanding. The jury found that Sawyers discharged a firearm and, as a result, caused death or great bodily harm.

PROCEDURAL HISTORY

Sawyers was convicted by a jury of aggravated battery with great bodily harm involving a firearm and received a twenty-five-year mandatory minimum sentence under section 775.087(2)(a)3, Florida Statutes (2021). The trial court denied his Rule 3.800(b)(2) motion challenging the sentence. The Second District affirmed and certified conflict with *Espinoza v. State*.

DISPOSITION

affirmed

CASES CITED

- Price v. State, 995 So. 2d 401, 404 (Fla. 2008)
- Deparvine v. State, 995 So. 2d 351, 373-74 (Fla. 2008)
- Barrentine v. State, 72 So. 280, 281 (Fla. 1916)
- Robinson v. State, 215 So. 3d 1262, 1272 (Fla. 1st DCA 2017)
- DuBoise v. State, 520 So. 2d 260, 265 (Fla. 1988)
- State v. Gray, 435 So. 2d 816, 818 (Fla. 1983)
- Castillo v. State, 929 So. 2d 1180, 1182 (Fla. 4th DCA 2006)
- Lacey v. State, 831 So. 2d 1267, 1271 (Fla. 4th DCA 2002)
- Colson v. State, 717 So. 2d 554, 555 (Fla. 4th DCA 1998)
- Martinez v. State, 211 So. 3d 989, 990-92 (Fla. 2017)
- Jackson v. State, 983 So. 2d 562, 572-73 (Fla. 2008)
- Espinoza v. State, 264 So. 3d 343, 344-45 (Fla. 5th DCA 2019)
- Alleyne v. United States, 570 U.S. 99, 103, 113-15 (2013)
- Figueroa v. State, 84 So. 3d 1158, 1161 (Fla. 2d DCA 2012)
- Daniel v. State, 935 So. 2d 1240, 1241 (Fla. 2d DCA 2006)
- Davis v. State, 884 So. 2d 1058, 1060-61 (Fla. 2d DCA 2004)
- Weatherspoon v. State, 214 So. 3d 578, 584, 588 (Fla. 2017)
- State v. Dilworth, 397 So. 2d 292, 294 (Fla. 1981)
- Freudenberger v. State, 940 So. 2d 551, 555 (Fla. 2d DCA 2006)
- Agenor v. State, 268 So. 3d 868, 870 (Fla. 2d DCA 2019)
- Bienaime v. State, 213 So. 3d 927, 929-30 (Fla. 4th DCA 2017)