

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Denzel A. James v. State of Florida

James v. State · No. 3D24-0085 · Decided January 7, 2026

SUMMARY

The Third District Court of Appeal of Florida affirmed Denzel A. James’s conviction and life sentence for attempted first-degree murder. The court held that admitting a still image from a video was not an abuse of discretion because the jury viewed the video in context and the evidence was relevant. The court also concluded that challenges to prosecutorial comments and testimony concerning James’s attempted narcotics purchase were unpreserved and did not constitute fundamental error.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Lindsey, J.; Emas, J.; Lobree, J.
JURISDICTION	Third District Court of Appeal of Florida
DECIDED	January 7, 2026
DOCKET	3D24-0085
DISPOSITION	affirmed
PROCEDURAL POSTURE	James appealed his conviction and mandatory life sentence for attempted first-degree murder with a deadly weapon, challenging the admission of a still image from a video, prosecutorial comments characterizing him as evil, and testimony concerning his attempt to purchase narcotics.
STANDARD OF REVIEW	Evidentiary rulings are reviewed for abuse of discretion and in the context of the trial as a whole. Unpreserved claims are generally waived unless the alleged error is fundamental.
PRECEDENTIAL VALUE	published
PARTIES	Denzel A. James v. State of Florida

TOPICS

- evidence
- preservation of error
- harmless error
- criminal procedure
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion under section 90.403, Florida Statutes, by admitting a still frame from a video showing James at the crime scene.
2. Whether the prosecutor's repeated characterization of James as evil constituted fundamental error requiring a new trial despite the absence of a contemporaneous objection.
3. Whether Ivy's testimony that James threatened him during a dispute involving money to purchase crack was inadmissible bad-acts or propensity evidence and constituted fundamental error despite the absence of an objection.

HOLDINGS

1. The trial court did not abuse its discretion by admitting the still frame because the jury viewed the image in the context of the video, and the image's prejudicial aspect was relevant to showing that James matched the shooter's description and was at the crime scene before the shooting. Any cumulative nature of the image did not warrant reversal.
2. The prosecutor's repeated characterization of James as evil was improper, but it did not constitute fundamental error requiring reversal because the comments occurred only during opening statement, the trial court rebuked the prosecutor, and the jury received accurate instructions on the attempted murder charge.
3. The admission of Ivy's testimony about the dispute over money to purchase crack did not constitute fundamental error because the testimony was offered to prove motive or intent to shoot Ivy, not solely to prove bad character or propensity.
4. Because James did not contemporaneously object to the prosecutor's opening statements or Ivy's testimony, those claims were unpreserved and waived, subject only to review for fundamental error.

KEY QUOTATIONS

"Relevant evidence is inadmissible if its probative value is substantially outweighed by the danger of unfair prejudice, confusion of issues, misleading the jury, or needless presentation of cumulative evidence." (at 3)

"A contemporaneous objection to improper comments is necessary to preserve error, unless the error is fundamental." (at 5)

"it was offered to prove James had a motive or intent to shoot Ivy." (at 6)

FACTUAL BACKGROUND

In November 2020, Jonathan Ivy was shot several times outside a corner store by a man wearing clothing and an ankle monitor matching a description associated with James. Ivy could not see the shooter's face but testified that James was at the store around the time of the shooting and had previously threatened him during a dispute over \$20 to purchase crack. At trial, the State introduced a still frame from a video showing James at the store, along with the video itself, and the prosecutor referred to James as evil during opening statement.

PROCEDURAL HISTORY

The State charged James with attempted first-degree murder with a deadly weapon and possession of a firearm by a convicted felon; the firearm-possession count was later dismissed. After a jury found James guilty of attempted murder, the circuit court imposed the required life sentence because James qualified as a prison release reoffender. The Third District Court of Appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- Sidran v. E.I. Dupont De Nemours & Co., 925 So. 2d 1040, 1042 (Fla. 3d DCA 2006)
- State v. Marin, 319 So. 3d 79, 81 (Fla. 3d DCA 2021)
- Irving v. State, 627 So. 2d 92, 94 (Fla. 3d DCA 1993)
- Smith v. State, 320 So. 3d 20, 31 (Fla. 2021)
- Moore-Bryant v. State, 386 So. 3d 567, 573 (Fla. 4th DCA 2024)
- Araujo v. Winn-Dixie Stores, Inc., 290 So. 3d 936, 940-41 (Fla. 3d DCA 2019)
- Florida Peninsula Ins. Co. v. Nolasco, 318 So. 3d 584, 586 (Fla. 3d DCA 2021)
- Kaczmar v. State, 228 So. 3d 1, 11-12 (Fla. 2017)
- Poole v. State, 151 So. 3d 402, 415 (Fla. 2014)
- Bright v. State, 299 So. 3d 985, 1000 (Fla. 2020)