

DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

Kendal Major v. State of Florida

No. 3D25-1816; Lower Tribunal No. F02-35678 · No. No. 3D25-1816 · Decided October 8, 2025

SUMMARY

The Florida Third District Court of Appeal dismissed Kendal Major’s petition for habeas relief. The court held that habeas relief is unavailable for issues that could have or should have been raised on direct appeal or that were already addressed through another appellate or post-conviction procedure.

CASE DETAILS

COURT	District Court of Appeal of Florida, Third District
WRITING FOR THE COURT	Fernandez; Gordo; Bokor
JURISDICTION	Florida Third District Court of Appeal
DECIDED	October 8, 2025
DOCKET	No. 3D25-1816
DISPOSITION	dismissed
PROCEDURAL POSTURE	Original-jurisdiction petition for habeas corpus relief; the petition was dismissed.
PRECEDENTIAL VALUE	published
PARTIES	Kendal Major v. State of Florida

TOPICS

- appellate procedure
- post-conviction relief
- remedies
- appellate jurisdiction

PRACTICE AREAS

- appellate procedure
- post-conviction relief
- remedies

QUESTIONS PRESENTED

- Whether the petitioner could use habeas corpus to obtain relief on matters that could have and should have been raised on direct appeal or that had already been resolved through another appellate procedure.

HOLDINGS

1. Habeas relief is unavailable for matters that could have and should have been raised on direct appeal or for matters that have already been ruled on through another appellate procedure.

KEY QUOTATIONS

“Habeas relief is not available for matters that could have and should have been raised on direct appeal; or for matters that have already been ruled on through another appellate procedure.”

“Habeas corpus is not a vehicle for obtaining additional appeals of issues which were raised or should have been raised on direct appeal, or which could have been, should have been, or were raised in post-conviction proceedings.”

FACTUAL BACKGROUND

The opinion identifies no substantive underlying facts. Major sought habeas corpus relief from the Third District Court of Appeal.

PROCEDURAL HISTORY

Kendal Major filed a petition for habeas relief in the Third District Court of Appeal of Florida. The court held that habeas relief is unavailable for matters that could have and should have been raised on direct appeal or that had already been resolved through another appellate procedure, and dismissed the petition.

DISPOSITION

dismissed

CASES CITED

- Diaz v. Dixon, 402 So. 3d 434, 434 (Fla. 3d DCA 2024)
- Fails v. Jones, 219 So. 3d 790, 791–92 (Fla. 2017)
- Zuluaga v. Dept. of Corr., 32 So. 3d 674, 676–77 (Fla. 1st DCA 2010)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed October 8, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D25-1816 Lower Tribunal No. F02-35678 _____ Kendal Major, Petitioner, vs. State of Florida, Respondent. A Case of Original Jurisdiction – Habeas Corpus. Kendal Major, in proper person.

James Uthmeier, Attorney General, and Linda Katz, Assistant Attorney General, for respondent. Before FERNANDEZ, GORDO and BOKOR, JJ. PER CURIAM. Kendal Major petitions for habeas relief. As this court has explained, “[h]abeas relief is not available for matters that could

have and should have been raised on direct appeal; or for matters that have already been ruled on through another appellate procedure.” *Diaz v. Dixon*, 402 So.

3d 434, 434 (Fla. 3d DCA 2024) (citing *Fails v. Jones*, 219 So. 3d 790, 791–92 (Fla. 2017)); *Zuluaga v. Dept. of Corr.*, 32 So. 3d 674, 676–77 (Fla. 1st DCA 2010) (“Habeas corpus is not a vehicle for obtaining additional appeals of issues which were raised or should have been raised on direct appeal, or which could have been, should have been, or were raised in post-conviction proceedings.”).

Petition dismissed. 2