

FLORIDA THIRD DISTRICT COURT OF APPEAL

William Sims v. State of Florida

Sims · No. 3D25-0228 · Decided May 21, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed an order denying William Sims’s motion to compel the Office of the Public Defender to provide the record and transcripts from his 1995 felony case. The court held that the Public Defender’s response that it did not possess the requested documents supported denial of the motion, without prejudice to Sims seeking them from other agencies that may possess them.

CASE DETAILS

COURT	Florida Third District Court of Appeal
WRITING FOR THE COURT	Gordo, J.; Logue, C.J.; Bokor, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	May 21, 2025
DOCKET	3D25-0228
DISPOSITION	affirmed
PROCEDURAL POSTURE	Sims appealed the Circuit Court for Miami-Dade County's order denying his motion to compel the Office of the Public Defender to provide the record on appeal and related trial and deposition transcripts.
PRECEDENTIAL VALUE	published
PARTIES	William Sims v. State of Florida

TOPICS

- appellate procedure
- post-conviction relief
- criminal procedure

PRACTICE AREAS

- appellate procedure
- criminal procedure
- post-conviction relief

QUESTIONS PRESENTED

1. Whether the trial court properly denied Sims's motion to compel the Office of the Public Defender to provide appellate-record documents when the office stated that it did not possess them.
2. Whether the denial should be without prejudice to Sims seeking the documents from other agencies that may possess them.

HOLDINGS

1. A trial court may deny a motion to compel the Office of the Public Defender to provide appellate-record documents when the office's response refutes the allegation that it possesses documents the defendant is entitled to receive.
2. The affirmance is without prejudice to Sims seeking the requested documents from other agencies that may possess them, including the clerk's office or the State Attorney's Office.

KEY QUOTATIONS

“Because the response from the Office of the Public Defender refuted Sims’ allegation that it possessed the documents which Sims is entitled to have, the trial court was within its authority to deny the motion.”

“We therefore affirm without prejudice to Sims seeking to obtain the requested documents from other agencies that may possess them, i.e., the clerk’s office or the State Attorney’s Office.”

FACTUAL BACKGROUND

Sims requested the trial and deposition transcripts and other record documents from the Office of the Public Defender. The office responded that it was not in possession of the requested documents. The trial court relied on that response and denied Sims's motion to compel.

PROCEDURAL HISTORY

Sims sought to compel the Office of the Public Defender to produce documents relating to the direct appeal of his 1995 felony case. The trial court denied the motion after the Public Defender's Office responded that it did not possess the requested documents. The Third District Court of Appeal affirmed without prejudice to Sims seeking the documents from other agencies that may possess them.

DISPOSITION

affirmed

CASES CITED

- Brown v. State, 152 So. 3d 739, 741 (Fla. 4th DCA 2014)
- Brown v. State, 93 So. 3d 1194, 1196 (Fla. 4th DCA 2012)