

FIFTH DISTRICT COURT OF APPEAL OF FLORIDA

Andy Lee Williams v. State of Florida

Williams · No. 5D2025-1335 · Decided May 23, 2025

OPINION

Andy Lee Williams v. State of Florida

PER CURIAM.

FIFTH DISTRICT COURT OF APPEAL

STATE OF FLORIDA

_____ Case No. 5D2025-1335 LT Case No. 16-2021-CF-10901-A

ANDY LEE WILLIAMS,

Petitioner, v.

STATE OF FLORIDA,

Respondent. _____ Petition Alleging Ineffectiveness of Appellate Counsel. A Case of Original Jurisdiction. Andy Lee Williams, Crawfordville, pro se. No Appearance for Respondent. May 23, 2025 PER CURIAM. The petition filed in this proceeding under Florida Rule of Appellate Procedure 9.141(d) alleging that Petitioner’s appellate counsel provided ineffective assistance during the direct appeal of Petitioner’s criminal conviction and sentence is denied. See *Moran v. State*, 311 So. 3d 892, 894 (Fla. 5th DCA 2020) (explaining that, “[b]ecause [Petitioner] argued in his pro se brief on direct appeal [which proceeded under *Anders v. California*, 386 U.S. 738 (1967),] that the trial court erred in denying his motion for mistrial, this claimed error was also necessarily considered, evaluated, and rejected by this court such that we found it unnecessary to order additional briefing of this issue from appellate counsel,” resultingly, “[Petitioner] has failed to demonstrate any measurable prejudice from appellate counsel’s failure to raise this argument on direct appeal”); *Morrison v. State*, 764 So. 2d 649, 649 (Fla. 1st DCA 2000) (holding that a defendant cannot establish prejudice from appellate counsel’s failure to raise an issue where the issue was considered by the court in its review pursuant to *Anders* because it was raised in the defendant’s pro se brief). PETITION DENIED. EDWARDS, C.J., LAMBERT and JAY, JJ., concur. _____ Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.