

**SIXTH DISTRICT COURT OF APPEAL OF FLORIDA**

**Patrick Maxwell v. State of Florida**

No. 6D2025-0756, Sixth District Court of Appeal of Florida (April 24, 2026)

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**OPINION**

Patrick Maxwell v. State of Florida

PER CURIAM.

SIXTH DISTRICT COURT OF APPEAL

STATE OF FLORIDA

\_\_\_\_\_ Case No. 6D2025-0756 Lower Tribunal No. 2009-CF-013807 \_\_\_\_\_

PATRICK MAXWELL,

Appellant, v.

STATE OF FLORIDA,

Appellee. \_\_\_\_\_ Appeal from the Circuit Court for Orange County.

Michael J. Snure, Judge. April 24, 2026 PER CURIAM. This court finds no error and affirms the lower court's denial of Appellant's request for resentencing. Although the Fifth District reversed and remanded for a full resentencing hearing in *Maxwell v. State*, 241 So. 3d 277, 278 (Fla. 5th DCA 2018), before the resentencing hearing could be conducted, the Florida Supreme Court issued *Pedroza v. State*, 291 So. 3d 541 (Fla. 2020), holding that resentencing for juvenile offenders is not required unless a sentence is for life or a functional equivalent.<sup>1</sup> 291 So. 3d at 549 ("We uphold Pedroza's sentence because she has not established that it is a life sentence or the functional equivalent of a life sentence."); see also *Gilchrist v. State*, 299 So. 3d 620, 621 (Fla. 5th DCA 2020) (affirming "the trial court's order amending the sentences to provide for a review hearing and denying resentencing." (emphasis added)). As such, the trial court was correct to comply with the new legal standard. AFFIRMED. NARDELLA, SMITH and KAMOUTSAS, JJ., concur. Blair Allen, Public Defender, and Susan M. Shanahan, Assistant Public Defender, Bartow, for Appellant. James Uthmeier, Attorney General, Tallahassee, and Rebecca Rock McGuigan, Assistant Attorney General, Daytona Beach, for Appellee.

NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING

AND DISPOSITION THEREOF IF FILED

<sup>1</sup> Generally, "[a] mandate communicates the appellate court's judgment to the lower court and directs the lower court's action." *McKinney v. Graham*, 414 So. 3d 286, 290 (Fla. 6th DCA 2025). However, "[t]here are limited exceptions to this broad and important rule. One exception is when an intervening decision by a higher court supersedes the legal basis of the appellate court's

mandate before the trial court's judicial labor is complete. The trial court may then disregard the mandate to comply with the new legal standards." Id. 2

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