

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Carlos Cordero v. State of Florida

No. 3D25-0773 (Fla. 3d DCA Aug. 27, 2025) · No. No. 3D25-0773; Lower Tribunal No. F00-11889B · Decided August 27, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed the circuit court’s ruling in Carlos Cordero’s appeal under Florida Rule of Appellate Procedure 9.141(b)(2). The court addressed the statutory definition of a violent career criminal and concluded that the cited prior convictions qualified under Florida law.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Emas; Fernandez; Miller
JURISDICTION	Third District Court of Appeal of Florida
DECIDED	August 27, 2025
DOCKET	No. 3D25-0773; Lower Tribunal No. F00-11889B
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Carlos Cordero v. The State of Florida

TOPICS

- sentencing
- statutory interpretation
- post-conviction relief
- appellate procedure
- criminal procedure

PRACTICE AREAS

- criminal procedure
- sentencing
- post-conviction relief
- appellate procedure

QUESTIONS PRESENTED

1. Whether the circuit court's ruling concerning the violent-career-criminal sentencing provisions and the alleged sentencing error should be affirmed on appeal.

HOLDINGS

1. The circuit court's ruling was affirmed. The opinion relied on the statutory definition of a violent career criminal, which includes a person previously convicted as an adult three or more times of qualifying offenses, including forcible felonies and certain firearm-related felonies, and on authority stating that a sentencing error not apparent from the face of the record does not warrant relief.

KEY QUOTATIONS

“In adhering to the interpretation by the Florida courts of the applicable law in this state, we are mindful of the rule that state courts, in construing and interpreting state law, are not bound by the decisions of federal courts.” (600)

“Because Williams’ motion failed to demonstrate that the alleged sentencing error is apparent from the face of the record, we affirm.” (1159)

FACTUAL BACKGROUND

The opinion provides no factual narrative. It concerns the application of Florida's violent-career-criminal statute, section 775.084, including the statutory categories of qualifying prior offenses and the inclusion of burglary as a forcible felony under section 776.08.

PROCEDURAL HISTORY

Carlos Cordero appealed the circuit court's ruling in a criminal post-conviction or sentencing matter. The Third District Court of Appeal affirmed in a per curiam decision.

DISPOSITION

affirmed

CASES CITED

- State v. Yanes-Blanco, 401 So. 3d 592, 600 (Fla. 5th DCA 2025) (Boatwright, J., concurring)
- William v. State, 348 So. 3d 1159, 1159 (Fla. 4th DCA 2022)

OPINION

Carlos Cordero v. State of Florida

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed August 27, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D25-0773 Lower Tribunal No. F00-11889B _____ Carlos Cordero, Appellant, vs. The State of Florida, Appellee. An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Michelle Delancy, Judge. Carlos Cordero, in proper person. James Uthmeier, Attorney General, Kayla Heather McNab and Richard L. Polin, Assistant Attorneys

General, for appellee. Before EMAS, FERNANDEZ, and MILLER, JJ. PER CURIAM. Affirmed. See *State v. Yanes-Blanco*, 401 So. 3d 592, 600 (Fla. 5th DCA 2025) (Boatwright, J., concurring) (“In adhering to the interpretation by the Florida courts of the applicable law in this state, we are mindful of the rule that state courts, in construing and interpreting state law, are not bound by the decisions of federal courts.”) (citation omitted); § 775.084(1)(d)(1)(a), (g), Fla. Stat. (2024) (defining “violent career criminal” as someone who “has previously been convicted as an adult three or more times for an offense in this state or other qualified offense” such as “[a]ny forcible felony” under section 776.08 or “[a] felony violation of chapter 790 involving the use or possession of a firearm”); § 776.08, Fla. Stat. (2024) (including burglary as a forcible felony); *William v. State*, 348 So. 3d 1159, 1159 (Fla. 4th DCA 2022) (“Because Williams’ motion failed to demonstrate that the alleged sentencing error is apparent from the face of the record, we affirm.”).