

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

MICHAEL ROBERT EVERETT,

Appellant,

v.

Case No. 5D14-1645

STATE OF FLORIDA,

Appellee.

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Opinion filed May 22, 2015

Appeal from the Circuit Court  
for Flagler County,  
J. David Walsh, Judge.

Michael Robert Everett, Daytona Beach,  
pro se.

Pamela Jo Bondi, Attorney General,  
Tallahassee, and Kristen L. Davenport,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

HARRIS, C.M., Senior Judge.

In 2008, Michael Everett was convicted of first-degree felony murder and burglary of a dwelling with a battery while armed with a deadly weapon. This court, in *Everett v. State*, 114 So. 3d 956 (Fla. 5th DCA 2011), reversed the burglary conviction because Everett was convicted of a first-degree burglary offense when he was actually charged

with second-degree burglary. We reversed for entry of a corrected judgment and re-sentencing.

Everett's new claims of deficient representation are either insufficient, untimely, or both.

AFFIRMED.

ORFINGER and BERGER, JJ., concur.