

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

DAVID BROWN,

Petitioner,

v.

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

CASE NO. 1D17-2007

STATE OF FLORIDA,

Respondent.

_____ /

Opinion filed December 27, 2017.

Petition for Writ of Prohibition—Original Jurisdiction.

M. Blair Payne, Public Defender, Elise Blair Yates, Assistant Public Defender,
Perry, for Petitioner.

Pamela Jo Bondi, Attorney General, Kaitlin Weiss, Tallahassee, for Respondent.

PER CURIAM.

DENIED on the merits. *See Early v. State*, 223 So. 3d 1023, 1024 (Fla. 1st
DCA 2017) (rejecting appellant’s reasoning regarding the repudiation of his “Stand
Your Ground” defense, i.e., “that the evidence must be considered undisputed in his
favor because the victim died, and because there were no eyewitnesses to the crime,

leaving only his own testimony”).

WOLF, WINOKUR, and JAY, JJ., CONCUR.