

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

---

No. 1D17-1194

---

SAMEER OKASHAH,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

---

On appeal from the Circuit Court for Leon County.  
Angela C. Dempsey, Judge.

April 25, 2018

PER CURIAM.

In this direct criminal appeal, Appellant, Sameer Okashah, seeks review of his conviction for failure to remit state sales taxes and raises two issues. We affirm Appellant's judgment and sentence as to the first issue without discussion. However, we dismiss the appeal as to the second issue, in which Appellant asserts that the trial court erred by imposing restitution after he had filed the notice of appeal of the judgment and sentence, because we lack jurisdiction given his failure to file a notice of appeal challenging the restitution order. *See Turner v. State*, 40 So. 3d 925, 926 (Fla. 1st DCA 2010) (holding that the Court was constrained to dismiss the portion of the appeal challenging the imposition of restitution after the appellant had filed a notice of appeal of his judgment and sentence because he failed to file a

separate notice of appeal of the restitution order); *see also Pennywell v. Dep't of Revenue ex rel. Woodard*, 62 So. 3d 19, 20 (Fla. 1st DCA 2011) (explaining that in order for an appellate court to have jurisdiction over an appeal, “[a] notice of appeal must be filed within 30 days after rendition of the order to be reviewed” (citing Florida Rule of Appellate Procedure 9.110(b))).

AFFIRMED in part and DISMISSED in part.

LEWIS, ROBERTS, and JAY, JJ., concur.

---

***Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.***

---

Candice K. Brower, Criminal Conflict & Civil Regional Counsel,  
Melissa J. Ford, Assistant Conflict Counsel, Tallahassee, for  
Appellant.

Pamela Jo Bondi, Attorney General, Jason W. Rodriguez,  
Assistant Attorney General, Tallahassee, for Appellee.