

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

Nos. 1D13-1754
1D13-1810
(Consolidated)

KADEEM QUAISHAWN HART,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Duval County.
Charles W. Arnold, Judge.

December 31, 2020

ON REMAND FROM THE SUPREME COURT OF FLORIDA

PER CURIAM.

On December 11, 2020, the Florida Supreme Court quashed our decision in *Hart v. State*, 255 So. 3d 921 (Fla. 1st DCA 2018), and remanded the matter for reconsideration in light of its decision in *Pedroza v. State*, 291 So. 3d 541 (Fla. 2020). In *Pedroza*, the supreme court held that “a juvenile offender’s sentence does not implicate *Graham* [*v. Florida*, 560 U.S. 48 (2010)], and therefore *Miller* [*v. Alabama*, 567 U.S. 460 (2012)], unless it meets the threshold requirement of being a life sentence or the functional equivalent of a life sentence.” *Id.* at 548.

Hart was sentenced to an aggregate term of fifty years in prison. Because he did not receive “a life sentence or the functional equivalent of a life sentence,” we affirm. *See id.* at 549 (holding that Pedroza’s forty-year sentence was “not a life sentence or the functional equivalent of a life sentence”).

AFFIRMED.

ROBERTS, ROWE, and KELSEY, JJ., concur.

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

Glen P. Gifford, Assistant Public Defender, Tallahassee, for Appellant.

Ashley Moody, Attorney General, and Jennifer J. Moore, Assistant Attorney General, Tallahassee, for Appellee.