

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D21-2310

ANDRELO WITCHER,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

Petition Alleging Ineffective Assistance of Appellate Counsel—
Original Jurisdiction.

October 20, 2021

PER CURIAM.

The Court denies on the merits the petition alleging ineffective assistance of appellate counsel. *See Topps v. State*, 865 So. 2d 1253, 1258 (Fla. 2004) (explaining that a decision on an extraordinary writ petition that “clearly shows that the issue was considered by the court on the merits” is deemed a decision “which would later bar the litigant from presenting the issue under the doctrines of res judicata or collateral estoppel”).

ROWE, C.J., and NORDBY and LONG, JJ., concur.

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

Andrelo Witcher, pro se, Petitioner.

Ashley Moody, Attorney General, Tallahassee, for Respondent.