

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2014*

**JERROLD BARON,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D12-3780

[November 19, 2014]

Appeal of order denying rule 3.850 motion from the Circuit Court for the Nineteenth Judicial Circuit, St. Lucie County; Dan L. Vaughn, Judge; L.T. Case No. 562006CF000418A.

Antony P. Ryan, Regional Counsel and Louis G. Carres, Special Assistant Conflict Counsel, Office of Criminal Conflict and Civil Regional Counsel, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Jeanine Germanowicz, Assistant Attorney General, West Palm Beach, for appellee.

PER CURIAM.

We affirm the trial court's thorough order denying appellant's motion for postconviction relief from his convictions for vehicular manslaughter and DUI manslaughter. After a full evidentiary hearing, the trial court concluded that none of the appellant's contentions constituted ineffective assistance of counsel. Most claims were either unproven or were shown to be reasonable trial strategy decisions by counsel and agreed to by the appellant. Moreover, competent substantial evidence supports the trial court's conclusion that, even if all of appellant's claims of ineffective assistance and failure to present evidence had been cured at trial, there was no reasonable probability that the results at trial would have been different, given the testimony and other evidence presented by the state. *See Strickland v. Washington*, 466 U.S. 668, 694 (1984). This included eyewitness testimony of appellant's swerving and weaving prior to striking the pedestrian victims, as well as his fleeing the scene, and his admissions, in recorded telephone calls at the jail, to drinking and driving.

DAMOORGIAN, C.J., WARNER and TAYLOR, JJ., concur.

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***Not final until disposition of timely filed motion for rehearing.***