

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

EDWARD R. THOMAS,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D15-2884

[November 23, 2016]

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, Okeechobee County; Sherwood Bauer, Jr., Judge; L.T. Case No. 2014CF744A.

Jonathan S. Friedman of Law Offices of Jonathan S. Friedman, P.A., Fort Lauderdale, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Georgina Jimenez-Orosa, Senior Assistant Attorney General, West Palm Beach, for appellee.

DAMOORGIAN, J.

Edward Thomas appeals his conviction and sentence for one count of burglary of a dwelling and one count of second degree petit theft. He argues that this Court should reverse because: (1) trial counsel's performance was ineffective; (2) the trial court erred in denying his motion for judgment of acquittal; and (3) the trial court erred in providing additional jury instructions after the jury had already retired to deliberate. We affirm in all respects, but do so without prejudice for Appellant to raise his ineffective assistance of counsel argument in a Rule 3.850 motion for postconviction relief.

Affirmed.

CONNER, J., and MOYLE, PAUL O., Associate Judge, concur.

* * *

Not final until disposition of timely filed motion for rehearing.