

# **Third District Court of Appeal**

## **State of Florida**

Opinion filed April 11, 2018.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D18-331  
Lower Tribunal No. 10-333BP

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**Charles Ramirez,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Monroe County, Luis M. Garcia, Judge.

Charles Ramirez, in proper person.

Pamela Jo Bondi, Attorney General, for appellee.

Before SALTER, EMAS and LINDSEY, JJ.

PER CURIAM.

Affirmed. See § 958.14, Fla. Stat. (2010) (providing in part that “no youthful offender shall be committed to the custody of the department [of corrections] for a substantive violation for a period longer than the maximum sentence for the offense for which he or she was found guilty, with credit for time served while incarcerated, or for a technical or nonsubstantive violation for a period longer than 6 years or for a period longer than the maximum sentence for the offense for which he or she was found guilty, whichever is less”); Flores v. State, 46 So. 3d 102, 104 (Fla. 3d DCA 2010) (holding that the six-year prison sentence “cap” under section 958.14 applies only to sentences resulting from a technical violation of youthful offender supervision, not to a substantive violation (i.e., the commission of a new criminal act), and that this is true even if the new criminal charge is nolle prossed) (citing State v. Meeks, 789 So. 2d 982 (Fla. 2001)).