

Third District Court of Appeal

State of Florida

Opinion filed October 30, 2019.
Not final until disposition of timely filed motion for rehearing.

No. 3D19-0144
Lower Tribunal No. 17-74-AP

Jerry Duckworth,
Appellant,

vs.

The State of Florida,
Appellee.

An appeal conducted pursuant to Anders v. California, 386 U.S. 738 (1967),
from the Circuit Court for Monroe County, Luis M. Garcia, Judge.

Jerry Duckworth, in proper person.

Ashley Moody, Attorney General, for appellee.

Before FERNANDEZ, MILLER, and GORDO, JJ.

PER CURIAM.

Affirmed, without prejudice to the refiling of a timely motion for reduction of sentence in the lower tribunal. See Smith v. State, 407 So. 2d 399, 400 (Fla. 1st DCA 1981) (“Rule 3.800 does, however, give the defendant an opportunity to re-file his motion for reduction of sentence within [sixty] days after receipt of [the] Court’s mandate.”).