

# Third District Court of Appeal

## State of Florida

Opinion filed May 1, 2019.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D19-483  
Lower Tribunal No. 81-3272-A

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**Parnell Smith,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Stacy D. Glick, Judge.

Parnell Smith, in proper person.

Ashley Moody, Attorney General, for appellee.

Before EMAS, C.J., and SCALES and LINDSEY, JJ.

PER CURIAM.

Affirmed. See § 775.082(3)(a), Fla. Stat. (1983) (providing that a person who has been convicted of a life felony committed prior to October 1, 1983 may be punished “by a term of imprisonment for life or for a term of years not less than 30 and, for a life felony committed on or after October 1, 1983, by a term of imprisonment for life or by a term of imprisonment not exceeding 40 years”) (emphasis added).