

Third District Court of Appeal

State of Florida

Opinion filed May 22, 2019.
Not final until disposition of timely filed motion for rehearing.

No. 3D19-638
Lower Tribunal No. 73-361

Richard Sheppard,
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, Alan S. Fine, Judge.

Richard Sheppard, in proper person.

Ashley Moody, Attorney General, for appellee.

Before SCALES, HENDON, and MILLER, JJ.

PER CURIAM.

Affirmed. See State v. Whitehead, 472 So. 2d 730, 731-32 (Fla. 1985) (“[P]ursuant to section 775.087(1), a first-degree felony shall be reclassified to a life felony if a weapon or firearm is used . . .”); State v. Smith, 470 So. 2d 764, 764 (Fla. 5th DCA 1985) (“Second degree murder is a felony of the first degree, and when committed with a firearm, is reclassified as a life felony.” (internal citation omitted) (citing § 775.087(1)(a), Fla. Stat. (1983); Strickland v. State, 437 So. 2d 150 (Fla. 1983))).