

Third District Court of Appeal

State of Florida

Opinion filed September 25, 2019.
Not final until disposition of timely filed motion for rehearing.

No. 3D19-1295
Lower Tribunal No. 87-39510

Carlos Villavicencio,
Petitioner,

vs.

The State of Florida,
Respondent.

A Case of Original Jurisdiction – Habeas Corpus.

Carlos Villavicencio, in proper person.

Ashley Moody, Attorney General, and Joanne Diez, Assistant Attorney General, for respondent.

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

PER CURIAM.

Carlos Villavicencio petitions this Court to issue a writ of habeas corpus, claiming various grounds of ineffective assistance of trial counsel. Acknowledging that the grounds raised in the instant petition – including trial counsel’s alleged failures to file a motion for discharge under the speedy trial rule, to investigate fully the case and to call certain witnesses at trial – are successive, Villavicencio argues that relief is necessary to correct a manifest injustice. We deny the petition. To the extent that Villavicencio also seeks appellate review of the trial court’s May 24, 2019 order denying Villavicencio’s May 13, 2019 Florida Rule of Criminal Procedure 3.850 postconviction motion, we affirm.