

Third District Court of Appeal

State of Florida

Opinion filed September 16, 2020.
Not final until disposition of timely filed motion for rehearing.

No. 3D19-1857
Lower Tribunal No. 18-8697A

Ariel Washington,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Mark Blumstein,
Judge.

Carlos J. Martinez, Public Defender, and James A. Odell, Assistant Public
Defender, for appellant.

Ashley Moody, Attorney General, and Brian H. Zack, Assistant Attorney
General, for appellee.

Before LINDSEY, GORDO, and LOBREE, JJ.

PER CURIAM.

Ariel Washington appeals her conviction and sentence for one count of grand theft arising from an incident at a retail store in a mall. Finding no reversible error, we affirm. See Jackson v. Household Fin. Corp. III, 45 Fla. L. Weekly S205, S206 (Fla. July 2, 2020) (“A qualified witness, therefore, is anyone with personal knowledge of the organization’s regular business practices relating to creating and retaining the record(s) at issue. This knowledge will necessarily come from the witness’s training or experience, or, most likely, a combination of both.” (internal citation omitted)); F.T. v. State, 146 So. 3d 1270, 1273 n.5 (Fla. 3d DCA 2014) (noting that no “foundation must be laid before a witness is permitted to testify to his or her contemporaneous observation of the contents of the price tag affixed to the stolen item of retail merchandise”); Johnson v. State, 117 So. 3d 1238, 1243 (Fla. 3d DCA 2013) (“Dr. Silla’s report was prepared at a hospital, not at a law enforcement lab. Moreover, while arguably made for the principal purpose of assisting law enforcement and for a criminal trial, and the report is testimonial in nature, any testimonial aspect of Dr. Silla’s report only relates to the collection of the specimen from the victim. The report makes no statement, conclusion, or accusation about or against the defendant.”).

Affirmed.