

Third District Court of Appeal

State of Florida

Opinion filed March 31, 2021.
Not final until disposition of timely filed motion for rehearing.

No. 3D21-0692
Lower Tribunal No. F14-18763A

Gabriel Mercado,
Petitioner,

vs.

The State of Florida,
Respondent.

A Case of Original Jurisdiction- Ineffective Assistance of Appellate Counsel.

Gabriel Mercado, in proper person.

Ashley Moody, Attorney General, for respondent.

Before SCALES, LOBREE and BOKOR, JJ.

PER CURIAM.

Petition denied. See Wilson v. Wainwright, 474 So. 2d 1162, 1163 (Fla. 1985) (explaining standard for ineffective assistance of appellate counsel);

Young v. State, 13 So. 3d 537, 537 (Fla. 3d DCA 2009) (“there *is* a crime of burglary with intent to commit the underlying offense of resisting without violence, which occurs, as in this case, when a person fleeing from a lawful attempted arrest enters a structure without permission in order to evade capture”); see also Fla. R. App. P. 9.141(d)(5).