

Third District Court of Appeal

State of Florida

Opinion filed May 26, 2021.
Not final until disposition of timely filed motion for rehearing.

No. 3D21-869
Lower Tribunal No. 95-CF-936-A-K

Jerry Thomas Baker,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Monroe County, Mark Wilson, Judge.

Jerry Thomas Baker, in proper person.

Ashley Moody, Attorney General, for appellee.

Before EMAS, C.J., and HENDON and MILLER, JJ.

PER CURIAM.

Affirmed. See § 812.13(2)(a), Fla. Stat. (1995) (providing: “If in the course of committing the robbery the offender carried a firearm or other deadly weapon, then the robbery is a felony of the first degree, punishable by imprisonment for a term of years not exceeding life imprisonment . . .”); Brown v. State, 458 So. 2d 313, 314 (Fla. 5th DCA 1984) (noting that the crime of armed robbery “is already an enhanced charge under the robbery statute” because the legislature added, as an essential element, the carrying of a firearm or other deadly weapon, and made such crime a first-degree felony punishable by life). See also Jackson v. State, 175 So. 3d 368 (Fla. 3d DCA 2015) (holding that, because defendant was charged with and convicted of a first-degree felony punishable by life, in which a firearm or weapon was an essential element of the offense, the life sentence imposed was lawful without regard to, or reliance on, reclassification or enhancement statutes).