

Third District Court of Appeal

State of Florida

Opinion filed October 6, 2022.
Not final until disposition of timely filed motion for rehearing.

No. 3D22-1139
Lower Tribunal No. F08-41578

Maykel Beiro,
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, Alberto Milian, Judge.

Maykel Beiro, in proper person.

Ashley Moody, Attorney General, for appellee.

Before EMAS, SCALES and HENDON, JJ.

PER CURIAM.

Affirmed. See § 782.04(2), Fla. Stat. (2008) (providing: “The unlawful killing of a human being, when perpetrated by any act imminently dangerous to another and evincing a depraved mind regardless of human life, although without any premeditated design to effect the death of any particular individual, is murder in the second degree and constitutes a felony of the first degree, punishable by imprisonment for a term of years not exceeding life or as provided in s. 775.082, s. 775.083, or s. 775.084”) (emphasis added). See also Beiro v. State, 337 So. 3d 334 (Fla. 3d DCA 2022) (affirming trial court order denying prior motion to correct illegal sentence asserting the same claim raised in the instant appeal).