

IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT, IN AND  
FOR ORANGE COUNTY, FLORIDA

WATLEY CLERVIL,

Appellant,

vs.

STATE OF FLORIDA,

Appellee.

APPELLATE CASE NO: 2017-AP-000035-A-O  
LOWER COURT CASE NO: 2017-MM-8046-A-O

\_\_\_\_\_  
Appeal from the County Court  
for Orange County, Florida,  
Evelen H. Jewett, County Court Judge

Robert Wesley, Public Defender and  
Fabian Goffe, Assistant Public Defender,  
for Appellant

Aramis D. Ayala, State Attorney and  
Carol Levin Reiss, Assistant State Attorney,  
for Appellee

Before RODRIGUEZ, BLACKWELL, and WHITEHEAD, J.J.

Appellant seeks review of his conviction for trespass on property other than a structure or conveyance. Fla. Stat. § 810.09 (2017). Of the three arguments made on appeal, we address only the claim that the trial court erred in denying Appellant's Motion for Judgment of Acquittal, for which we apply a de novo standard of review. *Davis v. State*, 207 So. 3d 177, 195 (Fla. 2016); *Pagan v. State*, 830 So.2d 792, 803 (Fla.2002).

The State concedes that the evidence produced at trial was insufficient, and we agree. No testimony established that Appellant entered onto the 913 St. Croix Court property or committed any act thereon permitting the jury to infer an intent to commit a separate offense. Accordingly, we reverse for vacation of Appellant's conviction.

**REVERSED.**

**DONE AND ORDERED** in Chambers, at Orlando, Orange County, Florida, on this

\_\_\_ day of March, 2018.

/S/  
HEATHER P. RODRIGUEZ  
Presiding Circuit Judge

BLACKWELL and WHITEHEAD, J.J., concur.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to **Judge Evellen H. Jewett**, 425 N. Orange Avenue, Orlando, FL 32801, **Carol Levin Reiss**, Assistant State Attorney, 415 N. Orange Ave., Suite 200, Orlando, FL 32801, and **Fabian Goffe**, Assistant Public Defender, 435 N. Orange Ave., Suite 400, Orlando, FL 32801, this \_\_\_\_ day of March, 2018.

/S/ \_\_\_\_\_  
Judicial Assistant