

Third District Court of Appeal

State of Florida, July Term, A.D. 2010

Opinion filed July 21, 2010.
Not final until disposition of timely filed motion for rehearing.

No. 3D08-3252
Lower Tribunal No. 02-12509

Jesus Roman,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Sarah Zabel,
Judge.

Teresa Mary Pooler, for appellant.

Bill McCollum, Attorney General, and Linda S. Katz, Assistant Attorney
General, for appellee.

Before COPE, WELLS, and SHEPHERD, JJ.

WELLS, Judge.

Jesus Roman appeals his conviction for first degree murder, attempted first degree murder with a deadly weapon, two counts of kidnapping with a weapon, two counts of robbery with a firearm, and sexual battery with a deadly weapon. He argues that the trial court abused its discretion in: first, allowing the State to introduce photos that appealed to the jury's sympathy; second, not permitting the surrebuttal of a key witness; and third, failing to grant a mistrial after questions which Roman maintains improperly shifted the burden of proof. Finding no abuse of discretion in any of the trial court's rulings, we affirm.