FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D20-3690

JOHN KIMBLE,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Leon County.
Stephen S. Everett, Judge.

September 22, 2021

PER CURIAM.

John Kimble appeals the summary denial of his motion to correct illegal sentence filed under Florida Rule of Criminal Procedure 3.800(a). He argues that the trial court imposed a vindictive sentence when he was resentenced pursuant to a successful motion to correct sentencing error. Because the postconviction court properly determined that a vindictive sentencing claim is not cognizable under rule 3.800(a), we affirm. *See Jackson v. State*, 193 So. 3d 1, 1 (Fla. 4th DCA 2014); *Buono v. State*, 900 So. 2d 672, 672 (Fla. 5th DCA 2005); *Taylor v. State*, 897 So. 2d 495, 496 (Fla. 3d DCA 2005); *Boyd v. State*, 880 So. 2d 726, 727 (Fla. 2d DCA 2004).

AFFIRMED.

RAY, MAKAR, and M.K. THOMAS, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

John Kimble, pro se, Appellant.

Ashley Moody, Attorney General, and Jennifer J. Moore, Assistant Attorney General, Tallahassee, for Appellee.