

**SIXTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA**

Case No. 6D2025-0165
Lower Tribunal No. 2024-CF-002096

AMY ARROYO,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

Appeal from the Circuit Court for Polk County.
Michelle O. Pincket, Judge.

December 23, 2025

WOZNIAK, J.

Amy Arroyo was charged with four counts of interfering with custody in violation of section 787.03, Florida Statutes (2024). She appeals the denial of her motion for judgment of acquittal, in which she argued only that her conduct did not amount to a taking as required under section 787.03. However, a taking is not the only way in which a person may interfere with custody under the statute. Because Arroyo did not challenge the alternative conduct below, we are without option but to affirm her conviction. *See, e.g., Woods v. State*, 733 So. 2d 980, 984–85 (Fla.

1999) (rejecting the appeal of the denial of a motion for judgment of acquittal that failed to fully set forth “the specific grounds upon which the motion was based”); *Pryor v. State*, 48 So. 3d 159, 162 (Fla. 1st DCA 2010) (finding that a motion for judgment of acquittal that failed to challenge knowledge, an element of the charge of tampering with evidence, was insufficient to preserve the issue for appeal). Our affirmance, however, is without prejudice to Arroyo to seek postconviction relief, if appropriate, under Florida Rule of Criminal Procedure 3.850.

AFFIRMED.

NARDELLA and BROWNLEE, JJ., concur.

Blair Allen, Public Defender, and Robert D. Rosen, Assistant Public Defender, Bartow, for Appellant.

James Uthmeier, Attorney General, Tallahassee, and Jonathan P. Hurley, Senior Assistant Attorney General, Tampa, for Appellee.

NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING
AND DISPOSITION THEREOF IF TIMELY FILED