

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

---

No. 1D18-3649

---

ARNOLD I. WATKINS,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

---

Petition Alleging Ineffective Assistance of Appellate Counsel—  
Original Jurisdiction.

May 13, 2019

PER CURIAM.

Arnold Watkins petitions this Court for a writ of habeas corpus, claiming that he is entitled to a new trial on drug-related charges based on ineffective assistance of appellate counsel. Specifically, Watkins argues that appellate counsel should have raised on direct appeal a claim of ineffective assistance of trial counsel for failing to advise Watkins of an entrapment defense. We dismiss the petition as untimely filed. *See Fla. R. App. P. 9.141(d)(5)*. In so doing, we reject Watkins' claim that the two-year filing deadline should be excused in this case to correct a manifest injustice. "Appellate counsel is not ineffective for failing to raise a claim of ineffective assistance of trial counsel on direct appeal because such claims are more effectively raised in a

motion for postconviction relief under rule 3.850.” *Stewart v. Crosby*, 880 So. 2d 529, 531 (Fla. 2004).

DISMISSED.

B.L. THOMAS, C.J., and RAY and WINOKUR, JJ., concur.

---

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

---

Arnold I. Watkins, pro se, Petitioner.

Ashley Moody, Attorney General, Tallahassee, for Respondent.