

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

Case No. 6D2024-0667
Lower Tribunal No. 2020-CF-4414-A-O

SENECA D. HOWARD,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

Appeal from the Circuit Court for Orange County.
Michael Kraynick, Judge.

May 15, 2026

PER CURIAM.

AFFIRMED. *See* § 90.614(2), Fla. Stat. (2024) (stating that the requirement to provide a witness “an opportunity to explain or deny the prior statement and the opposing party is afforded an opportunity to interrogate the witness on it” when confronted with “[e]xtrinsic evidence of a prior inconsistent statement” “is not applicable to admissions of a party-opponent as defined in s[ection] 90.803(18)”; *Annis v. First Union Bank of Fla.*, 566 So. 2d 273, 275 (Fla. 1st DCA 1990) (“Otherwise admissible impeachment evidence in response to evidence which has

been presented for the first time in the defense case is proper rebuttal evidence. The type of impeachment evidence introduced here, evidence that prior statements of an adverse witness are inconsistent with his in-court testimony, is probably the most common form of impeachment evidence.” (citing § 90.608(1)(a), Fla. Stat. (1989)); *Avalos v. State*, 419 So. 3d 299 (Fla. 6th DCA 2025) (“From our review, the record demonstrates beyond a reasonable doubt that a rational jury would have found the requisite facts for imposing a habitual felony offender designation and that, therefore, any error is harmless.” (citing *Galindez v. State*, 955 So. 2d 517, 523 (Fla. 2007))).

WOZNIAK, WHITE and MIZE, JJ., concur.

Blair Allen, Public Defender, and Clayton R. Kaeiser, Special Assistant Public Defender, Bartow, for Appellant.

James Uthmeier, Attorney General, Tallahassee, and Richard A. Pallas, Jr., Assistant Attorney General, Daytona Beach, for Appellee.

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