

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

Case No. 6D2024-2781
Lower Tribunal No. 2022-CF-003707

DAVID JAMES SIX,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

Appeal from the Circuit Court for Osceola County.
Tanya Davis Wilson, Judge.

February 6, 2026

PER CURIAM.

AFFIRMED. *See Harvard v. State*, 414 So. 2d 1032, 1034 (Fla. 1982) (“[T]rial judges are routinely made aware of information which may not be properly considered in determining a cause. Our judicial system is dependent upon the ability of trial judges to disregard improper information and to adhere to the requirements of the law in deciding a case or in imposing a sentence.”); *Wyrich v. State*, 370 So. 3d 1000, 1004 (Fla. 2d DCA 2023) (“However, the mere fact that a sentencing judge hears improper information related to uncharged conduct during a sentencing

hearing does not necessarily warrant reversal.” (citing *Serrano v. State*, 279 So. 3d 296, 302 (Fla. 1st DCA 2019) (“[T]here must be some indication that the court based its sentence on an impermissible factor before this Court will reverse.”)).

TRAVER, C.J., and MIZE and KAMOUTSAS, JJ., concur.

Blair Allen, Public Defender, and Susan M. Shanahan, Assistant Public Defender, Bartow, for Appellant.

James Uthmeier, Attorney General, Tallahassee, and Daniel Caldwell, Assistant Attorney General, Daytona Beach, for Appellee.

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