DISTRICT COURT OF APPEAL OF FLORIDA
SECOND DISTRICT

DIAMOND SHAQUEZ BOLES,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

No. 2D2025-1470

November 18, 2026

Appeal from the County Court for Pinellas County; Cathy A. McKyton, Judge.

Blair Allen, Public Defender, and Tosha Cohen, Assistant Public Defender, Bartow, for Appellant.

James Uthmeier, Attorney General, Tallahassee, and Angela H. Fernandez, Assistant Attorney General, Tampa, for Appellee.

SILBERMAN, Judge.

Diamond Shaquez Boles appeals her judgment and sentence after being found guilty by jury of misdemeanor battery. We affirm her judgment and sentence but write to briefly address her argument that the circuit court erred in its use of a six-person jury rather than a twelve-person jury. Existing precedent does not support her argument. *See Williams v. Florida*, 399 U.S. 78, 86 (1970) (holding that six-member jury

panel did not violate Williams's constitutional rights); *Bass v. State*, 51 Fla. L. Weekly D2053, D2053-54 (Fla. 2d DCA Oct. 2, 2026) (concluding that conviction by a six-person jury did not violate Bass's constitutional rights). However, we note that the United States Supreme Court has accepted certiorari review in a case challenging *Williams*'s holding that a six-person jury is not a violation of the constitution. *See Kian v. Florida*, 146 S. Ct. 2732 (2026).

Accordingly, we affirm Boles's judgment and sentence.

NORTHCUTT and LABRIT, JJ., Concur.

Opinion subject to revision prior to official publication.