

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2009

WILLIAM ROKER,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D09-1885

[January 6, 2010]

PER CURIAM.

The trial court's summary denial of appellant's successive, untimely, and frivolous rule 3.850 motion is affirmed. Appellant claimed that the circuit court lacked jurisdiction, and that his conviction was void, because the oath of office and appointment of the assistant state attorney who filed the information was not recorded in the circuit court's records. The allegation that the information was not properly signed or verified is frivolous and not a ground for postconviction relief. *See Logan v. State*, 1 So. 3d 1253 (Fla. 4th DCA 2009). An information may not be attacked on the ground it was not properly signed or verified once a defendant pleads to the merits. Fla. R. Crim. P. 3.140(g); *see also* Fla. R. Crim. P. 3.140(o).

Appellant is cautioned that continued abuse of the postconviction process by filing frivolous or repetitive motions and/or appeals will result in sanctions. *State v. Spencer*, 751 So. 2d 47 (Fla. 1999); *Thurston v. State*, 920 So. 2d 1229 (Fla. 4th DCA 2006).

Affirmed.

STEVENSON, HAZOURI and LEVINE, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Charles E. Burton, Judge; L.T. Case No. 1997CF004373AXX.

William Roker, South Bay, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.