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ALABAMA COURT OF CRIMINAL APPEALS

OCTOBER TERM, 2010-2011

CR-10-0176

Garron Bethel

v.

State of Alabama

Appeal from Butler Circuit Court
(CC-98-7.65)

WINDOM, Judge.

AFFIRMED BY UNPUBLISHED MEMORANDUM.

Welch, P.J., concurs. Kellum, J., concurs specially, with opinion.

CR-10-0176

KELLUM, Judge, concurring specially.

I write specially to note that this action appears to be Garron Bethel's sixth Rule 32, Ala. R. Crim. P., petition challenging his 1998 convictions for third-degree receiving stolen property and two counts illegal possession of credit cards and his resulting concurrent sentences to 20 years' imprisonment. I believe that allowing Bethel to file multiple petitions for postconviction relief in which his claims are either precluded or without merit wastes scarce judicial resources. Therefore, I would encourage the circuit court to consider adopting sanctions like those proposed in Peoples v. State, 531 So. 2d 323 (Ala. Crim. App. 1988), and Procup v. Strickland, 792 F.2d 1069 (11th Cir. 1986), to prevent future frivolous litigation on the part of Bethel and other similarly situated inmates. See Ex parte Thompson, 38 So. 3d 119 (Ala. Crim. App. 2009).