

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

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

LARRY BRINSON,

Appellant,

v.

Case No. 5D19-2552

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed July 10, 2020

Appeal from the Circuit Court
for St. Johns County,
Howard M. Maltz, Judge.

Larry Brinson, Raiford, pro se.

Ashley Moody, Attorney General,
Tallahassee, and, Robin A. Compton,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

Appellant appeals the trial court's denial of his motion for appointment of counsel to pursue yet another motion seeking postconviction relief in St. Johns County Circuit Court Case No. CF06-1283. We note that Appellant was previously sanctioned by the underlying circuit court in accordance with *State v. Spencer*, 751 So. 2d 47 (Fla. 1999), and was supposedly barred from filing further pro se pleadings in that court related to this

case. Thus, the circuit court was not required to permit the filing of Appellant's motion for appointment of counsel. We affirm the trial court's order denying appointment of counsel and caution him that abusive, repetitive, malicious, or frivolous filings directed to St. Johns County Circuit Court Case No. CF06-1283 may result in sanctions such as a bar on pro se filing in this Court and referral to prison officials for disciplinary proceedings, which may include forfeiture of gain time. See *Spencer*, 751 So. 2d at 48.

AFFIRMED.

ORFINGER, EDWARDS, and HARRIS, JJ., concur.