

FIFTH DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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Case No. 5D23-1085  
LT Case No. 2011-CF-50130-BX

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DEFOREST L. KELLY,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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On appeal from the Circuit Court for Brevard County.  
Charles G. Crawford, Judge.

Deforest L. Kelly, Milton, pro se.

Ashley Moody, Attorney General, Tallahassee, and Deborah A.  
Chance, Assistant Attorney General, Daytona Beach, for  
Appellee.

October 13, 2023

PER CURIAM.

Appellant appeals the trial court's denial of his Florida Rule of Criminal Procedure 3.800(a) motion for postconviction relief in Brevard County Circuit Court Case No. 2011-CF-50130-BX. We affirm the trial court's order and caution Appellant that abusive, repetitive, malicious, or frivolous filings directed to Brevard County Circuit Court Case No. 2011-CF-50130-BX 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 § 944.279(1), Fla. Stat. (2023); *State v. Spencer*, 751 So. 2d 47 (Fla. 1999).

AFFIRMED.

LAMBERT, JAY, and PRATT, JJ., concur.

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*Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.*

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