

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

JANUARY TERM 2011

DANIEL M. BEAM,

Appellant,

v.

Case No. 5D11-899

STATE OF FLORIDA,

Appellee.

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Opinion filed April 15, 2011

3.850 Appeal from the Circuit
Court for Citrus County,
Richard A. Howard, Judge.

Daniel M. Beam, Jasper, pro se.

Pamela Jo. Bondi, Attorney General,
Tallahassee, and Bonnie Jean Parrish,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

Daniel Beam appeals the dismissal of his motion filed pursuant to Florida Rule of Criminal Procedure 3.850. While the trial court erroneously believed it did not have jurisdiction to consider Beam's motion, see Gawronski v. State, 801 So. 2d 211 (Fla. 2nd DCA 2001), we nonetheless affirm, concluding Beam's second rule 3.850 motion to be procedurally barred as an abusive, successive motion. See Owen v. Crosby, 854 So. 2d 182 (Fla. 2003); Christopher v. State, 489 So. 2d 22 (Fla. 1986).

AFFIRMED.

MONACO, C.J., GRIFFIN and COHEN, JJ., concur.