

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

JAY BARRINGER,

Petitioner,

v.

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

CASE NO. 1D17-3915

FLA. DEPT. CORR.,

Respondent.

Opinion filed December 21, 2017.

Petition for Writ of Habeas Corpus -- Original Jurisdiction.

Jay Barringer, pro se, Petitioner.

Pamela Jo Bondi, Attorney General, Tallahassee; Kenneth S. Steely, General Counsel,
Department of Corrections, Tallahassee, for Respondent.

PER CURIAM.

Jay Barringer has filed a petition for writ of habeas corpus claiming that he was being illegally held for a non-existent crime. We dismiss the petition as unauthorized. See Baker v. State, 878 So. 2d 1236 (Fla. 2004) (habeas corpus cannot be used to litigate issues that could have been or were raised on direct appeal or in postconviction motions).

Due to petitioner's apparent abuse of the legal process by his repeated pro se filings attacking his Pasco County conviction and sentence, this Court issued an order directing petitioner to show cause why he should not be prohibited from future pro se filings. State v. Spencer, 751 So. 2d 47, 48 (Fla. 1999) (requiring that courts "first provide notice and an opportunity to respond before preventing [a] litigant from bringing further attacks on his or her conviction and sentence."). Petitioner's response to the show cause order does not provide a legal basis to prohibit the imposition of sanctions.

Therefore, because petitioner's repeated attacks on his conviction and sentence have become an abuse of the legal process, we hold that he is barred from future pro se filings in this court concerning Pasco County Circuit Court case numbers 00-CF-001041 and 00-CF-001042. The Clerk of the Court is directed not to accept any future filings concerning this case unless they are filed by a member in good standing of The Florida Bar. Petitioner is warned that any filings that violate the terms of this opinion may result in a referral to the appropriate institution for disciplinary procedures as provided in section 944.279, Florida Statutes.

DISMISSED.

LEWIS, KELSEY, and M.K. THOMAS, JJ., CONCUR.