

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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No. 1D19-3622

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BARRY CARRELL,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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Petition for Writ of Habeas Corpus—Original Jurisdiction.

July 27, 2020

PER CURIAM.

The petition for writ of habeas corpus is dismissed as unauthorized. *See Baker v. State*, 878 So. 2d 1236 (Fla. 2004) (holding that habeas corpus is not a means to litigate issues that could have been or were raised in a direct appeal or postconviction motion).

Petitioner is warned that any future filings that this Court determines to be frivolous may result in the imposition of sanctions, including a prohibition against any further pro se filings in this Court and a referral to the appropriate institution for disciplinary procedures. *See* § 944.279, Fla. Stat. (2019) (providing that “[a] prisoner who is found by a court to have brought a frivolous or malicious suit, action, claim, proceeding, or appeal . . .

or to have brought a frivolous or malicious collateral criminal proceeding . . . is subject to disciplinary procedures pursuant to the rules of the Department of Corrections”).

RAY, C.J., and JAY and LONG, 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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Barry Carrell, pro se, Petitioner.

Ashley Moody, Attorney General, Tallahassee, for Respondent.