

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D20-1430

DEMETRIC L. GROOMS,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

Petition for Writ of Habeas Corpus—Original Jurisdiction.

October 5, 2020

PER CURIAM.

We dismiss this petition for writ of habeas corpus. *See Baker v. State*, 878 So. 2d 1236 (Fla. 2004) (dismissing habeas corpus petition as unauthorized and explaining that such a petition may not seek postconviction relief based on a claim that could have been or was raised at trial or in a direct appeal, or that would be untimely or successive if it were asserted through a rule 3.850 motion). We write, however, to briefly address Petitioner's argument that his sentence is illegal and that this Court's affirmance in case 1D18-5049 of the denial of his motion to correct illegal sentence was a manifest injustice.

Petitioner was sentenced for the offense of attempted second-degree murder to a mandatory minimum term of life in prison

under section 775.087(2)(a)3., Florida Statutes, commonly referred to as the 10-20-Life statute. He relies on *Hatten v. State*, 203 So. 3d 142 (Fla. 2016), and *Byrd v. State*, 238 So. 3d 917 (Fla. 1st DCA 2018), but unlike the sentences at issue in those cases, Petitioner’s sentence does not include a term beyond the mandatory minimum term selected within the range allowed by the 10-20-Life statute. Thus, Petitioner’s sentence is authorized entirely by the statute, and no additional statutory authority is required to support his sentence.

Petitioner is warned that any future filings in this Court raising the same issue 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(1), 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”).

LEWIS, NORDBY, and LONG, JJ., concur.

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

Demetric L. Grooms, pro se, Petitioner.

Ashley Moody, Attorney General, Tallahassee, for Respondent.