

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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No. 1D20-2187

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BRADLEY C. PERRY,

Appellant,

v.

FLORIDA DEPARTMENT OF  
CORRECTIONS,

Appellee.

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On appeal from the Circuit Court for Jefferson County.  
Dawn Caloca-Johnson, Judge.

September 28, 2022

PER CURIAM.

AFFIRMED. *See Zuluaga v. Dep't of Corr.*, 32 So. 3d 674, 677 (Fla. 1st DCA 2010) (explaining that a trial court may dismiss, rather than transfer, a habeas petition when the petitioner seeks relief that “(1) would be untimely if considered as a motion for postconviction relief under rule 3.850, (2) raise claims that could have been raised at trial or, if properly preserved, on direct appeal of the judgment and sentence, or (3) would be considered a second or successive motion under rule 3.850 that either fails to allege new or different grounds for relief that were known or should have been known at the time the first motion was filed.”) (quoting *Baker v. State*, 878 So. 2d 1236, 1246 (Fla. 2004)).

The Court warns Appellant 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. (2021); *see also* Fla. R. App. P. 9.410(a).

RAY, WINOKUR, and JAY, 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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Bradley C. Perry, pro se, Appellant.

Ashley Moody, Attorney General, and Anne C. Conley, Assistant Attorney General, Tallahassee, for Appellee.