

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2014

ALLOY LEWIN,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D14-1975

[August 13, 2014]

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Michael I. Rothschild, Judge; L.T. Case No. 00-5384CF10A.

Bernard F. Daley of The Daley Law Firm, Tallahassee, for appellant.

No appearance required for appellee.

PER CURIAM.

We affirm the trial court order summarily denying appellant's third motion for post-conviction relief and/or habeas corpus petition. This motion was unsworn, untimely, successive and patently without merit. Appellant filed two prior motions for post-conviction relief, the summary denial of which this court affirmed *per curiam* in *Lewin v. State*, 881 So. 2d 1124 (Fla. 4th DCA 2004), and *Lewin v. State*, 901 So. 2d 138 (Fla. 4th DCA 2005).

Accordingly, we caution appellant that the filing of any future successive and frivolous *pro se* motions, petitions or appeals attacking his convictions and sentences in this case may result in sanctions, such as a ban on future *pro se* filings in this court and/or referral to prison officials for disciplinary procedures. See *State v. Spencer*, 751 So. 2d 47 (Fla. 1999). See also § 944.279(1), Fla. Stat.; Fla. R. Crim. P. 3.850(n).

Affirmed.

DAMOORGIAN, C.J., LEVINE and KLINGENSMITH, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.