

# Third District Court of Appeal

## State of Florida

Opinion filed October 3, 2018.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D16-2466  
Lower Tribunal No. 00-19296

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**Mike McGlocklin,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An appeal from the Circuit Court for Miami-Dade County, Milton Hirsch, Judge.

Mike McGlocklin, in proper person.

Pamela Jo Bondi, Attorney General, and Marlon J. Weiss, Assistant Attorney General, for appellee.

Before SUAREZ, SALTER, and LUCK, JJ.

SUAREZ, J.

Mike McGlocklin appeals from the trial court's denial of his petition for habeas corpus. We affirm, and order the defendant to show cause why he should not be prohibited from filing future pro se motions.

McGlocklin was convicted in 2003 of arson, attempted first degree murder, attempted felony murder, and two counts of child abuse with no harm. On direct appeal, this Court reversed and remanded to vacate the attempted felony murder conviction on double jeopardy grounds, and affirmed all other grounds raised on appeal. McGlocklin v. State, 907 So. 2d 1288 (Fla. 3d DCA 2005). In 2016, the appellant filed a successive post-conviction petition styled as a writ of habeas for errors in the trial that he asserted were manifestly unjust. The trial court treated the petition as a motion filed pursuant to Florida Rule of Criminal Procedure 3.850 and denied it as untimely and successive, and additionally concluded that it raised issues that should have been raised on direct appeal. We agree and affirm.<sup>1</sup>

#### ORDER TO SHOW CAUSE

We note that the trial court has barred McGlocklin from further pro se pleadings, petitions, and motions in the underlying case, number F00-19296. We thus order McGlocklin to show cause within thirty (30) days why he should not be barred from filing further pro se motions and appeals in this Court relating to the convictions and sentences in the underlying case unless represented by a Florida Bar certified attorney.

Affirmed; order to show cause issued.

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<sup>1</sup> The mandate affirming McGlocklin's convictions was issued in August, 2005. McGlocklin's instant motion was filed on June 27, 2016, well beyond the two-year limitation imposed by Rule 3.850(b). Thus, his motion is clearly untimely.