

# Third District Court of Appeal

## State of Florida

Opinion filed September 5, 2018.  
Not final until disposition of timely filed motion for rehearing.

---

No. 3D18-789  
Lower Tribunal No. 08-32265

---

**Lazaro Quintero,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Milton Hirsch, Judge.

Lazaro Quintero, in proper person.

Pamela Jo Bondi, Attorney General, and Sandra Lipman, Assistant Attorney General, for appellee.

Before ROTHENBERG, C.J., and FERNANDEZ and SCALES, JJ.

PER CURIAM.

Lazaro Quintero appeals an order that denied his Florida Rule of Criminal Procedure 3.800(a) motion that alleged his sentence was illegal. The trial court's

order denied Quintero's motion, and directed Quintero to show cause why he should not be precluded from further pro se filings in lower court case number F08-32265. We affirm the denial of Quintero's rule 3.800 motion. We dismiss, as premature, Quintero's appeal regarding that portion of the order requiring him to show cause, without prejudice to Quintero separately appealing any final order entered below precluding him from further pro se filings in the trial court in this case. See State v. Spencer, 751 So. 2d 47, 48-49 (Fla. 1999) (“[P]roviding notice and an opportunity to respond through the issuance of an order to show cause . . . serves to generate a more complete record. If the litigant is thereafter denied further pro se access to the courts, the appellate courts will have an enhanced ability to determine whether the denial of access is an appropriate sanction under the circumstances.”).

Affirmed in part, dismissed in part.