

Third District Court of Appeal

State of Florida

Opinion filed March 25, 2026.

Not final until disposition of timely filed motion for rehearing.

No. 3D25-1640
Lower Tribunal No. F15-16272

Jean Gerome,
Appellant,

vs.

State of Florida,
Appellee.

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

Jean Gerome, in proper person.

James Uthmeier, Attorney General, Kayla Heather McNab, Assistant Attorney General, for appellee.

Before SCALES, C.J., and LINDSEY and GOODEN, JJ.

PER CURIAM.

Affirmed. See Fla. R. Crim. P. 3.850(j)(2) (“A second or successive motion is an extraordinary pleading. Accordingly, a court may dismiss a second or successive motion if the court finds that it fails to allege new or different grounds for relief and the prior determination was on the merits or, if new and different grounds are alleged, the judge finds that the failure of the defendant or the attorney to assert those grounds in a prior motion constituted an abuse of the procedure or there was no good cause for the failure of the defendant or defendant's counsel to have asserted those grounds in a prior motion.”); id. at (c)(5) (“The motion . . . must also include an explanation of . . . if a previous motion or motions have been filed, the reason or reasons the claim or claims in the present motion were not raised in the former motion or motions.”); Koons v. State, 165 So. 3d 718, 719–20 (Fla. 5th DCA 2015) (“When the movant fails to allege new and different grounds, or fails to allege good cause for why the new and different grounds were not alleged earlier, the court may summarily deny the motion as successive.”).