

FIFTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA

Case No. 5D2023-0719
LT Case No. 1990-CF-008397-A
CORRECTED

JEFFERY C. GREEN,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Duval County.
Meredith Charbula, Judge.

Jeffery C. Green, Mayo, pro se.

Ashley Moody, Attorney General, and Zachary F. Lawton,
Assistant Attorney General, Tallahassee, for Appellee.

November 1, 2024

PER CURIAM.

In April 2022, Green filed, pro se, his sixth successive postconviction motion in the Fourth Judicial Circuit. The court summarily denied his motion and ordered him to show cause why it should not bar him from future pro se filings. After receiving Green's response, the court determined that the filing was frivolous, a bad faith abuse of process, and filed with reckless

disregard for the truth. The court barred him from future pro se filings and directed the clerk of court to accept no more pro se filings from him. In this appeal, Green challenges the trial court's decision to bar him from filing future pro se motions.

Green previously appealed the trial court's summary denial of the underlying postconviction motion. We reversed and remanded. *See Green v. State*, 373 So. 3d 950, 953 (Fla. 5th DCA 2023). Given our reversal, the court's finding that the postconviction motion was frivolous was premature. Therefore, reversal of its order barring Green from further pro se filings is warranted.

REVERSED.

EISNAUGLE, KILBANE, and PRATT, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.
