

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D2023-2131

KEITH L. CALVIN,

Petitioner,

v.

RICKY D. DIXON, Secretary,
Florida Department of
Corrections,

Respondent.

Petition for Writ of Habeas Corpus—Original Jurisdiction.

June 26, 2024

PER CURIAM.

Keith L. Calvin petitions this court for a writ of habeas corpus seeking to challenge his life sentence imposed in 2006 for second-degree murder. We dismiss the petition. *See Baker v. State*, 878 So. 2d 1236 (Fla. 2004).

The court finds that this petition is frivolous and refers Calvin to the Department of Corrections for sanctions. *See* § 944.279, Fla. Stat. (2023) (providing that “[a] prisoner who is found by a court to have brought a frivolous or malicious suit, action, claim, proceeding, or appeal . . . is subject to disciplinary procedures pursuant to the rules of the Department of Corrections”); *Ponton*

v. Willis, 172 So. 3d 574, 576 (Fla. 1st DCA 2015) (explaining that a *Spencer* order is not required before a court may refer an inmate for disciplinary action under the statute based on a frivolous filing).

Calvin has filed multiple frivolous appeals and petitions in this court seeking to collaterally attack his judgment and sentence. *See Calvin v. Jones*, Case No. 1D16-4129 (Fla. 1st DCA Nov. 1, 2016) (dismissing appeal of order denying habeas petition); *Calvin v. Jones*, 232 So. 3d 324 (Fla. 1st DCA 2017) (affirming order dismissing habeas petition); *Calvin v. Tucker*, 96 So. 3d 884 (Fla. 1st DCA 2012) (denying petition for belated appeal); *Calvin v. Tucker*, Case No. 1D12-1801 (Fla. 1st DCA May 23, 2012) (denying petition for writ of mandamus); *Calvin v. Jones*, Case No. 2018-4500 (Fla. 1st DCA Oct. 26, 2018) (transferring habeas petition to Leon County Circuit Court for further proceedings).

The court warns Calvin that any future filings that this court determines to be frivolous or malicious may result in the imposition of further sanctions, including a prohibition against any future pro se filings in this court.

DISMISSED.

ROWE, BILBREY, and KELSEY, JJ., concur.

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

Keith L. Calvin, pro se, Petitioner.

No appearance for Respondent.