

**DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA, FOURTH
DISTRICT**

Travis E. Johnson v. State of Florida

No. 4D2025-0402 · No. 4D2025-0402 · Decided November 12, 2025

SUMMARY

The Fourth District Court of Appeal of Florida reversed an order barring Travis E. Johnson from making further pro se filings under State v. Spencer. The court held that the filing leading to the sanction presented a colorable claim based on Erlinger v. United States and referenced pending Florida Supreme Court review, while cautioning that future frivolous filings would not be tolerated.

OPINION

Travis E. Johnson v. State of Florida

PER CURIAM.

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA

FOURTH DISTRICT

TRAVIS E. JOHNSON,

Appellant, v.

STATE OF FLORIDA,

Appellee. No. 4D2025-0402 [November 12, 2025] Appeal of order denying rule 3.800 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Bernard I. Bober, Judge; L.T. Case Nos. 99-014448CF10A and 00-007609CF10A. Travis E. Johnson, Miami, pro se. James Uthmeier, Attorney General, Tallahassee, and Zi Jin Peter Chan, Assistant Attorney General, West Palm Beach, for appellee. PER CURIAM. Travis E. Johnson appeals an order entered under State v. Spencer, 751 So. 2d 47 (Fla. 1999), barring further pro se filings. We recognize Johnson's filings are numerous. But in this instance, the instance that led to the sanction, Johnson presented a new claim based on Erlinger v. U.S., 144 S. Ct. 1840 (2024), and referenced the Florida Supreme Court's pending review in Maye v. State, 368 So. 3d 531 (Fla. 6th DCA 2023), to preserve the issue. We believe the claim was, at the time it was filed, colorable. As a result, we reverse the sanction imposed against Johnson. But we caution Johnson that future frivolous filings will not be tolerated. Reversed. KUNTZ, C.J., MAY and KLINGENSMITH, JJ., concur. * * * Not final until disposition of timely-filed motion for rehearing.