

FIFTH DISTRICT COURT OF APPEAL OF FLORIDA

David Joseph Northup v. State of Florida

Northup v. State · No. 5D2025-1760 · Decided November 14, 2025

SUMMARY

The Fifth District Court of Appeal of Florida affirmed the denial of David Joseph Northrup's petition for a writ of habeas corpus. The court cautioned Northrup that abusive, repetitive, malicious, or frivolous filings could result in sanctions, including a pro se filing bar and referral for prison disciplinary proceedings.

CASE DETAILS

COURT	Fifth District Court of Appeal of Florida
WRITING FOR THE COURT	Per Curiam; Lambert, J.; Edwards, J.; Eisnaugle, J.
JURISDICTION	Fifth District Court of Appeal of Florida
DECIDED	November 14, 2025
DOCKET	5D2025-1760
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of a petition for writ of habeas corpus by the Circuit Court for St. Johns County.
PRECEDENTIAL VALUE	published
PARTIES	David Joseph Northup v. State of Florida

TOPICS

- habeas corpus
- post-conviction relief
- appellate procedure
- criminal procedure
- remedies

PRACTICE AREAS

- criminal procedure
- post-conviction relief
- appellate procedure
- remedies

QUESTIONS PRESENTED

- Whether the trial court erred in denying Appellant's petition for writ of habeas corpus.

HOLDINGS

- The denial of Appellant's petition for writ of habeas corpus is affirmed.

KEY QUOTATIONS

“We affirm the trial court’s order and caution Appellant that abusive, repetitive, malicious, or frivolous filings directed to St. Johns County Circuit Court Case No. 55-2001-CF-2098-A may result in sanctions such as a bar on pro se filing in this Court and referral to prison officials for disciplinary proceedings, which may include forfeiture of gain time.” (at 2)

FACTUAL BACKGROUND

The opinion provides no substantive factual background concerning the underlying criminal case. It states only that Appellant sought habeas corpus relief in St. Johns County Circuit Court Case No. 55-2001-CF-2098-A and that the circuit court denied the petition.

PROCEDURAL HISTORY

Appellant petitioned the St. Johns County Circuit Court for a writ of habeas corpus in Case No. 55-2001-CF-2098-A. The circuit court denied the petition, and Appellant appealed. The Fifth District Court of Appeal affirmed and cautioned Appellant regarding potential sanctions for abusive, repetitive, malicious, or frivolous filings.

DISPOSITION

affirmed

CASES CITED

- State v. Spencer, 751 So. 2d 47 (Fla. 1999)

OPINION

David Joseph Northrup v. State of Florida
PER CURIAM.
FIFTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA

_____ Case No. 5D2025-1760 LT Case No. 55-2001-CF-2098-A

DAVID JOSEPH NORTHUP,
Appellant, v.
STATE OF FLORIDA,

Appellee. _____ On appeal from the Circuit Court for St. Johns County. R. Lee Smith, Judge. David Joseph Northrup, Graceville, pro se. James Uthmeier, Attorney General, Tallahassee, and Whitney Brown Hartless, Assistant Attorney General, Daytona Beach, for Appellee. November 14, 2025 PER CURIAM. Appellant appeals the trial court’s denial of his petition for writ of habeas corpus in St. Johns County Circuit Court Case No. 55-2001-CF-

2098-A. We affirm the trial court's order and caution Appellant that abusive, repetitive, malicious, or frivolous filings directed to St. Johns County Circuit Court Case No. 55-2001-CF- 2098-A may result in sanctions such as a bar on pro se filing in this Court and referral to prison officials for disciplinary proceedings, which may include forfeiture of gain time. See § 944.279(1), Fla. Stat. (2020); State v. Spencer, 751 So. 2d 47 (Fla. 1999). AFFIRMED and APPELLANT CAUTIONED. LAMBERT, EDWARDS, and EISNAUGLE, JJ., concur. _____ Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331. _____ 2