

FIFTH DISTRICT COURT OF APPEAL OF FLORIDA

Robert S. Anderson v. State of Florida

Anderson · No. 5D2025-3111 · Decided March 13, 2026

SUMMARY

The Fifth District Court of Appeal of Florida affirmed the denial of Robert S. Anderson's motion for postconviction relief under Florida Rule of Criminal Procedure 3.850. The court cautioned Anderson that abusive, repetitive, malicious, or frivolous filings could result in sanctions, including a bar on pro se filings and referral for prison disciplinary proceedings.

CASE DETAILS

COURT	Fifth District Court of Appeal of Florida
WRITING FOR THE COURT	Per Curiam; Makar, J.; Edwards, J.; Harris, J.
JURISDICTION	Fifth District Court of Appeal of Florida
DECIDED	March 13, 2026
DOCKET	5D2025-3111
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of a motion for postconviction relief under Florida Rule of Criminal Procedure 3.850.
PRECEDENTIAL VALUE	published
PARTIES	Robert S. Anderson v. State of Florida

TOPICS

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

PRACTICE AREAS

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

QUESTIONS PRESENTED

- Whether the postconviction court properly denied Anderson's Florida Rule of Criminal Procedure 3.850 motion.
- Whether the court should caution Anderson that abusive, repetitive, malicious, or frivolous filings may result in sanctions.

HOLDINGS

1. The Fifth District Court of Appeal affirmed the postconviction court's denial of Anderson's motion for postconviction relief.

KEY QUOTATIONS

“We affirm the postconviction court’s order and caution Appellant that abusive, repetitive, malicious, or frivolous filings directed to Citrus County Circuit Court Case No. 09-2017-CF-1318-A may result in sanctions such as a bar on pro se filings in this Court and referral to prison officials for disciplinary proceedings, which may include forfeiture of gain time.”

FACTUAL BACKGROUND

The opinion provides no substantive factual background concerning the underlying criminal case. It concerns Anderson's appeal from the denial of his Rule 3.850 postconviction motion in Citrus County Circuit Court Case No. 09-2017-CF-1318-A.

PROCEDURAL HISTORY

Anderson filed a Florida Rule of Criminal Procedure 3.850 motion in the Circuit Court for Citrus County. The postconviction court denied the motion, and Anderson appealed. The Fifth District Court of Appeal affirmed and cautioned him regarding potentially abusive, repetitive, malicious, or frivolous future filings.

DISPOSITION

affirmed

CASES CITED

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

OPINION

PER CURIAM.

FIFTH DISTRICT COURT OF APPEAL STATE OF FLORIDA
_____ Case No. 5D2025-3111 LT Case No. 09-2017-CF-1318-A
_____ ROBERT S. ANDERSON, Appellant, v. STATE OF
FLORIDA, Appellee. _____ 3.850 Appeal from the Circuit Court for
Citrus County. Joel D. Fritton, Judge. Robert S. Anderson, Bushnell, pro se.

James Uthmeier, Attorney General, Tallahassee, and Rebecca Rock McGuigan, Assistant Attorney General, Daytona Beach, for Appellee. March 13, 2026 PER CURIAM. Appellant appeals the postconviction court’s denial of his Florida Rule of Criminal Procedure 3.850 motion for postconviction relief in Citrus County Circuit Court Case No. 09-2017-CF-1318- A. We affirm the postconviction court’s order and caution Appellant that abusive, repetitive, malicious, or frivolous

filings directed to Citrus County Circuit Court Case No. 09-2017-CF- 1318-A may result in sanctions such as a bar on pro se filings in this Court and referral to prison officials for disciplinary proceedings, which may include forfeiture of gain time.

See § 944.279(1), Fla. Stat. (2025); State v. Spencer, 751 So. 2d 47 (Fla. 1999). AFFIRMED; APPELLANT CAUTIONED. MAKAR, EDWARDS, and HARRIS, JJ., concur.
_____ Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331. _____ 2