

SUPREME COURT OF FLORIDA

Carlos Lorenzo Jackson v. State of Florida

No. SC20-1098 (Fla. Dec. 31, 2020) · No. SC20-1098 · Decided December 31, 2020

SUMMARY

The Supreme Court of Florida considered sanctions against Carlos Lorenzo Jackson after denying his petition for a writ of mandamus. The Court found that Jackson had abused the judicial process through a persistent history of meritless or inappropriate filings, barred future filings related to specified criminal cases unless signed by Florida Bar counsel, and directed that the opinion be forwarded to the Florida Department of Corrections.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Chief Justice Canady; Justice Polston; Justice Labarga; Justice Lawson; Justice Muñoz; Justice Couriel; Justice Grosshans
JURISDICTION	Florida
DECIDED	December 31, 2020
DOCKET	SC20-1098
DISPOSITION	other
PROCEDURAL POSTURE	Jackson petitioned the Supreme Court of Florida for a writ of mandamus. After denying the petition, the Court retained jurisdiction to determine whether sanctions should be imposed and ordered Jackson to show cause why he should not be barred from filing further requests for relief.
PRECEDENTIAL VALUE	Published Florida Supreme Court opinion; per curiam decision addressing sanctions and filing restrictions for repeated frivolous post-conviction filings.
PARTIES	Carlos Lorenzo Jackson v. State of Florida

TOPICS

- appellate procedure
- sanctions
- state post-conviction relief
- post-conviction relief
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Jackson's response to the show-cause order demonstrated cause why sanctions should not be imposed for his repeated and frivolous filings.
2. Whether the Court could restrict Jackson from submitting future filings concerning the specified criminal cases unless signed by a Florida Bar member in good standing.
3. Whether the Court should refer the frivolous proceeding to the Florida Department of Corrections under section 944.279(1), Florida Statutes (2019).

HOLDINGS

1. Jackson failed to show cause why sanctions should not be imposed because his persistent history of meritless or otherwise inappropriate pro se filings constituted an abuse of the judicial process and burdened the Court's limited judicial resources.
2. The Clerk of the Supreme Court of Florida must reject future pleadings, petitions, motions, documents, or other filings from Jackson related to case numbers 131977CF0347230001XX or 131978CF0017510001XX unless the filings are signed by a member in good standing of The Florida Bar.
3. The Clerk must forward a copy of the opinion to the Florida Department of Corrections institution or facility where Jackson is incarcerated because the Court found that his mandamus petition was frivolous.

KEY QUOTATIONS

"Based on his persistent history of filing pro se petitions that were meritless or otherwise inappropriate for this Court's review, Jackson has abused the judicial process and burdened this Court's limited judicial resources." (-2-)

"Accordingly, the Clerk of this Court is hereby instructed to reject any future pleadings, petitions, motions, documents, or other filings submitted by Carlos Lorenzo Jackson that are related to case numbers 131977CF0347230001XX or 131978CF0017510001XX, unless such filings are signed by a member in good standing of The Florida Bar." (-2-)

FACTUAL BACKGROUND

Jackson was convicted in Miami-Dade County of kidnapping, robbery with a deadly weapon, sexual battery with a weapon or by force, and burglary of an occupied structure, receiving life and five-year sentences in 1984. Beginning in 1999, he filed twenty-one prior petitions or notices in the Supreme Court of Florida concerning those convictions and sentences, none of which resulted in relief. The Court determined that his mandamus petition was meritless or otherwise inappropriate for review and that his repeated filings burdened the Court's judicial resources.

PROCEDURAL HISTORY

The Court had previously denied Jackson's mandamus petition and retained jurisdiction to pursue possible sanctions. Jackson responded to the show-cause order by asserting that his claims were meritorious. The Court rejected that response, found that he had abused the judicial process and filed a frivolous proceeding, imposed a filing restriction, and directed that the opinion be forwarded to the Florida Department of Corrections for possible disciplinary action.

DISPOSITION

other

CASES CITED

- Topps v. State, 865 So. 2d 1253 (Fla. 2004)
- Jackson v. State, No. SC20-1098 (Fla. Sept. 22, 2020)

OPINION

PER CURIAM.

Supreme Court of Florida _____ No. SC20-1098 _____ CARLOS LORENZO JACKSON, Petitioner, vs. STATE OF FLORIDA, Respondent. December 31, 2020 PER CURIAM. This case is before the Court on the petition of Carlos Lorenzo Jackson for a writ of mandamus.

We have jurisdiction. See art. V, § 3(b)(8), Fla. Const. By order dated September 22, 2020, we denied Jackson's petition pursuant to Topps v. State, 865 So. 2d 1253 (Fla. 2004). See Jackson v. State, No. SC20-1098 (Fla. Sept. 22, 2020). Concurrent with the denial of the petition, we expressly retained jurisdiction to pursue possible sanctions against Jackson.

Id.; see Fla. R. App. P. 9.410(a) (Sanctions; Court's Motion). Jackson was convicted in the Eleventh Judicial Circuit (Miami-Dade County) case number 131977CF0347230001XX on three counts of kidnapping, two counts of robbery with a deadly weapon, and two counts of sexual battery with a weapon or by force, for which he was sentenced to life imprisonment on April 20, 1984.

Jackson was also convicted on one count of burglary of an occupied structure in Miami-Dade County, case number 131978CF0017510001XX, for which he was sentenced to five years' imprisonment on April 20, 1984. It is unclear whether Jackson appealed his convictions and sentences. Jackson began filing petitions with the Court in 1999. Since that time, he has filed twenty-one previous petitions or notices, and all of these filings have been related to his convictions and sentences for the above-noted circuit court cases.

We have never granted the relief sought in any of Jackson's filings, which have all been denied, dismissed, or transferred by the Court. This petition was no different. We denied the petition and

directed Jackson to show cause why he should not be barred from filing any further requests for relief and referred to the Department of Corrections for possible disciplinary action pursuant to section 944.279, Florida Statutes (2019).

Jackson filed a response to the order to show cause in which he asserts that his claims are meritorious, so he should not be sanctioned. Upon due consideration of Jackson's response, we conclude that it fails to show cause why sanctions should not be imposed. Based on his persistent history of filing pro se petitions that were meritless or otherwise inappropriate for this Court's review, Jackson has -2- abused the judicial process and burdened this Court's limited judicial resources.

We further conclude that Jackson's mandamus petition filed in this case is a frivolous proceeding brought before this Court by a state prisoner. See § 944.279(1), Fla. Stat. (2019). Accordingly, the Clerk of this Court is hereby instructed to reject any future pleadings, petitions, motions, documents, or other filings submitted by Carlos Lorenzo Jackson that are related to case numbers 131977CF0347230001XX or 131978CF0017510001XX, unless such filings are signed by a member in good standing of The Florida Bar.

Counsel may file on Jackson's behalf if counsel determines that the proceedings may have merit and can be brought in good faith. Furthermore, because we have found Jackson's petition to be frivolous, we direct the Clerk of this Court, pursuant to section 944.279(1), Florida Statutes (2019), to forward a copy of this opinion to the Florida Department of Corrections institution or facility in which Jackson is incarcerated.

No motion for rehearing or clarification will be entertained by the Court. It is so ordered. CANADY, C.J., and POLSTON, LABARGA, LAWSON, MUÑIZ, COURIEL, and GROSSHANS, JJ., concur. Original Proceeding – Mandamus Carlos Lorenzo Jackson, pro se, Bowling Green, Florida, for Petitioner -3- No appearance for Respondent -4-