

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

CURT LOCKETT,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D17-3626

[April 12, 2018]

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; John S. Kastrenakes, Judge; L.T. Case No. 502008CF001348A.

Curt Lockett, Sneads, pro se.

No response required for appellee.

PER CURIAM.

Affirmed.

GROSS, TAYLOR and FORST, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.

(Appendix A)

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY FLORIDA
CRIMINAL DIVISION DIV: "V"

CASE NOS.: 2008CF001348AXX✓
2008CF007987AXX✓
2008CF007988AXX✓
2008CF007989AXX✓

STATE OF FLORIDA,
Plaintiff,

vs.

CURT M. LOCKETT,
Defendant.

COPY

**ORDER STRIKING DEFENDANT LOCKETT'S *PRO SE* SUCCESSIVE
MOTIONS FOR TO CORRECT ILLEGAL SENTENCE**

THIS CAUSE came before the Court on Defendant Curt M. Lockett's ("defendant") *Pro Se* Successive Motions to Correct Illegal Sentence, filed November 6, 2017. The Court, after having carefully examined and considered the *Pro Se* Successive Motions, having considered the court file and record, including all pertinent pleadings, applicable case law, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED that Defendant Curt M. Lockett's *Pro Se* Successive Motions to Correct Illegal Sentence are **STRUCK** as duplicative and meritless pleadings. These *Pro Se* Motions to Correct Illegal Sentence are the defendant's eighth post-conviction motions attacking his convictions and sentences since Lockett pled guilty in the above-captioned cases on May 28, 2009. Prior to his last round of *pro se* pleadings in October 2017, all of Lockett's previous *pro se* motions have been denied and affirmed on Appeal. Enough is enough. The defendant's continued meritless filings continue to constitute an abuse of the process. By separate Order this

(Appendix B)

Court issued a Show Cause Order and has subsequently determined that Lockett has failed to demonstrate good cause for his continued meritless filings and this Court has directed the Clerk to close the above-captioned files and not docket any more of Lockett's *pro se* pleadings.

As a further case in point, Lockett claims herein that his fifteen (15) year Department of Corrections ("DOC") sentence exceeds the statutory maximum, which claim is patently ludicrous given the defendant's pleas of guilty and charges in the cases, all of which are either second degree felonies, first degree felonies, or life felonies. Attached as Exhibit "A" is the Plea Sheet entered on Lockett's cases. It is further

ORDERED and ADJUDGED that the Defendant has thirty (30) days in which to Appeal this Order.

DONE and ORDERED in Chambers, at West Palm Beach, Palm Beach County, Florida, this 8 day of November, 2017.


JOHN S. KASTRENAKES
Circuit Judge

COPIES FURNISHED:

State Attorney's Office (Appeals)
Linda Harrison, ASA

Curt M. Lockett
DC #W12073
Apalachee Correctional Institution
35 Apalachee Drive
Sneads, FL 32460

IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY FLORIDA
CRIMINAL DIVISION DIV: "V"

CASE NOS.: 2008CF001348AXX ✓
2008CF007987AXX ✓
2008CF007988AXX ✓
2008CF007989AXX ✓

STATE OF FLORIDA,
Plaintiff,

vs.

CURT M. LOCKETT,
Defendant.

COPY

**ORDER DENYING DEFENDANT LOCKETT'S
PRO SE MOTION FOR RECONSIDERATION**

THIS CAUSE came before the Court on Defendant Curt M. Lockett's ("defendant") *Pro Se* Motion to Reconsider this Court's previous Orders denying Lockett's *Pro Se* Successive Motion for Post-Conviction Relief, filed November 6, 2017. The Court, after having carefully considered Lockett's *Pro Se* Motion, having considered the court file and record, including this Court's previous Order, and being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED that Defendant Curt M. Lockett's *Pro Se* Motion for Reconsideration is **DENIED**.

ORDERED and ADJUDGED that the Defendant has thirty (30) days in which to Appeal this Order.

DONE and ORDERED in Chambers, at West Palm Beach, Palm Beach County, Florida, this 8 day of November, 2017.

JOHN S. KASTRENAKES
Circuit Judge

(Appendix 8) C

COPIES FURNISHED:

State Attorney's Office (Appeals)
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IN THE CIRCUIT COURT OF THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY FLORIDA
CRIMINAL DIVISION DIV: "V"

CASE NOS.: 2008CF001348AXX
2008CF007987AXX
2008CF007988AXX
2008CF007989AXX

STATE OF FLORIDA,
Plaintiff,

vs.

CURT M. LOCKETT,
Defendant.

ORDER PROHIBITING DEFENDANT FROM FILING ADDITIONAL *PRO SE*
PLEADINGS, MOTIONS, OR PETITIONS AND DIRECTIONS TO CLERK

THIS CAUSE came before the Court *sua sponte* on the Court's Order to Show Cause why the Defendant should not be Prohibited from Filing Successive *Pro Se* Motions in this Court, filed on October 19, 2017. The aforementioned order required Defendant to show cause why he should not be prohibited from filing successive *Pro Se* motions in this Court. *See State v. Spencer*, 751 So. 2d 47 (Fla. 1999) (holding a court can restrict future *pro se* pleadings if it first provides a *pro se* litigant notice and an opportunity to respond). The Defendant filed a *pro se* response on November 6, 2017. After careful review of Lockett's *Pro Se* Response, as well as the court file and record, the Court concludes that good cause has not been shown. **WHEREFORE**, it is hereby

ORDERED and ADJUDGED that Defendant Curt M. Lockett is hereby prohibited from filing any further *Pro Se* pleadings, motions, or petitions in this Court relating to his convictions and sentences in case numbers 2008CF001348AXX, 2008CF007987AXX, 2008CF007988AXX, and 2008CF007989AXX. It is further

(Appendix D)

ORDERED and ADJUDGED that the Clerk of Court, Fifteenth Judicial Circuit, is **DIRECTED** to close this case file and refuse to docket any future paper relating to case numbers 2008CF001348AXX, 2008CF007987AXX, 2008CF007988AXX, and 2008CF007989AXX unless an attorney, who is a duly licensed member of the Florida Bar in good standing, has reviewed and signed them. *Prieto v. State*, 990 So. 2d 588, 589 (Fla. 3d DCA 2008). **Violation of this directive will result in referral to the Department of Corrections for disciplinary procedures including forfeiture of gain time.** It is further

ORDERED and ADJUDGED that the Defendant has thirty (30) days in which to Appeal this Order.

DONE and ORDERED in Chambers, at West Palm Beach, Palm Beach County, Florida, this 8 day of November, 2017.


JOHN S. KASTRENAKES
Circuit Judge

COPIES FURNISHED:

State Attorney's Office (Appeals)
Linda Harrison, ASA

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Warden
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35 Apalachee Drive
Sneads, FL 32460

Kenneth S. Steely, Esq.
General Counsel
Department of Corrections
501 South Calhoun Street
Tallahassee, FL 32399

EXHIBIT A

THE FOLLOWING IS TO REFLECT ALL TERMS OF THE NEGOTIATED SETTLEMENT

Name: CURT MARQUAIN LOCKETT

Plea: Guilty X

Case No. 2008CF007987AMB

Count	Description	Lesser	Degree
1	Attempted Lewd or Lascivious Molestation of child under 12	Yes	1 Deg. Fel.

Case No. 2008CF007988AMB

Count	Description	Lesser	Degree
2	Lewd or Lascivious Molestation	No	2 Deg. Fel.

Case No. 2008CF007989AMB

Count	Description	Lesser	Degree
3	Lewd or Lascivious Molestation	No	2 Deg. Fel.

Case No. 2008CF007989AMB

Count	Description	Lesser	Degree
1	Sexual Battery on Person less than 12 by person less than 18	No	Life Fel.

State to Nolle Prose the following at sentencing: Ct. 1 in 2008CF007987AMB and Ct.s 1 and 2 in 2008CF007988AMB.

PSI: Waived/Not Required X

ADJUDICATION: Adjudicate [X] Withhold [] Court's Discretion []

SENTENCE: \$1,050 + \$250 + \$50 + \$50 = \$1,450 (\$3,600)

\$ Court Costs in each case \$100 Cost of Prosecution in each case

\$ Public Defender Fees/Costs in each case

Incarceration: 15 Years in the Department of Corrections, concurrent in each case, with credit for 489 days time served. Defendant agrees that credit is correct.

OTHER CONDITIONS: DNA Swabs; No contact either directly or indirectly with the victims in the above-mentioned cases, A.I., J.E., K.L., and J.E., for the duration of the Defendant's sentence. The State and the Defendant stipulate that the Defendant is to be designated by the Court as a Sexual Predator.

[Signature]
Assistant State Attorney

5/28/09
Date of Plea

[Signature]
Attorney for the Defendant
[Signature]
Defendant

FILED
Circuit Criminal Department

MAY 28 2009

SHARON R. ZOCK
Clerk & Comptroller
Palm Beach County

ORDERED and ADJUDGED that the Clerk of Court, Fifteenth Judicial Circuit, is **DIRECTED** to close this case file and refuse to docket any future paper relating to case numbers 2008CF001348AXX, 2008CF007987AXX, 2008CF007988AXX, and 2008CF007989AXX unless an attorney, who is a duly licensed member of the Florida Bar in good standing, has reviewed and signed them. *Prieto v. State*, 990 So. 2d 588, 589 (Fla. 3d DCA 2008). **Violation of this directive will result in referral to the Department of Corrections for disciplinary procedures including forfeiture of gain time.** It is further

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JOHN S. KASTRENAKES
Circuit Judge

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