

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

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**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.

*COPY*  
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 3) C

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IN AND FOR PALM BEACH COUNTY FLORIDA  
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CASE NOS.: 2008CF001348AXX  
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STATE OF FLORIDA,  
Plaintiff,  
vs.

CURT M. LOCKETT,  
Defendant.

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**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

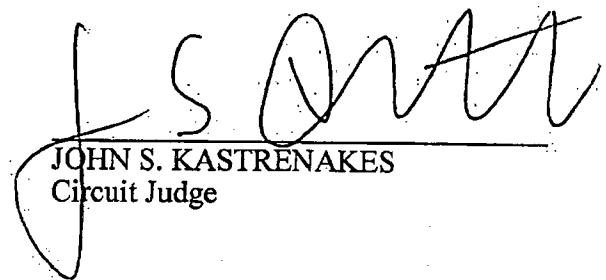
**ORDERED and ADJUDGED** that Defendant Curt M. Lockett is hereby prohibited from filing any further *Pro Se* pleadings, motions, or petitions in this Court relating to his convictions and sentences in case numbers 2008CF001348AXX, 2008CF007987AXX, 2008CF007988AXX, and 2008CF007989AXX. It is further

(Appendix ~~D~~ 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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**Sneads, FL 32460**

**Warden**  
**Apalachee Correctional Institution**  
**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

Case No. 2008CP001318/2/MB

<u>Count</u> 1	<u>Description</u> Attempted Lewd or Lascivious Molestation of child under 12	<u>Lesser</u> Yes	<u>Degree</u> 1 Deg. Fel.
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Case No. 2008712-00000/AM/16

<u>Count</u>	<u>Description</u>	<u>Lesser</u>	<u>Degree</u>
2	Lewd or Lascivious Molestation	No	2 Deg. Fel.

Case No. 2023-007458-ANW/BS

<u>Count</u>	<u>Description</u>	<u>Lesser</u>	<u>Degree</u>
3	Lewd or Lascivious Molestation	No	2 Deg. Fel.

Case No. 2008CF007989AMB

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

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

PSI: Waived/Not Required X

**ADJUDICATION:** Adjudicate  , Withhold  Court's Discretion

**SENTENCE:** ~~850 + 850 + 850 + 850 = 3,400~~ (4,300)

**\$ 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.

**Assistant State Attorney**

5/28/09

Date of Plea

~~Attorney for the Defendant~~

### Legendary

**FILED**  
Circuit Criminal Department

MAY 28 2009

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

  
JOHN S. KASTRENAKES  
Circuit Judge

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