

Third District Court of Appeal

State of Florida, January Term, A.D. 2009

Opinion filed May 27, 2009.
Not final until disposition of timely filed motion for rehearing.

No. 3D08-222
Lower Tribunal No. 98-4183

Stephon Hearn,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Israel Reyes,
Judge.

Stephon Hearn, for appellant.

Bill McCollum, Attorney General, and Lunar Claire Alvey, Assistant
Attorney General, for appellee.

Before COPE, WELLS, and SUAREZ, JJ.

COPE, J.

This is an appeal of an order barring further pro se postconviction motions by defendant-appellant Stephon Hearn. To make a long story short, the trial court entered an order barring the defendant from further pro se postconviction filings without ever having actually issued an order to show cause to the defendant. See Jordan v. State, 760 So. 2d 973, 974 (Fla. 2d DCA 2000). We therefore reverse the order now before us, but without prejudice to the trial court to issue a show cause order if the court chooses to do so.

Reversed.