

# Third District Court of Appeal

State of Florida, January Term, A.D. 2008

Opinion filed June 4, 2008.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D08-856  
Lower Tribunal No. 76-976

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**Michael Swain,**  
Appellant,

vs.

**The State of Florida,**  
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, John C. Schlesinger, Judge.

Michael Swain, in proper person.

Bill McCollum, Attorney General, for appellee.

Before RAMIREZ, SHEPHERD, and ROTHENBERG, JJ.

PER CURIAM.

Affirmed. The defendant previously raised this issue on appeal. See Swain v. State, 911 So. 2d 140 (Fla. 3d DCA 2005) (while successive Florida Rule of Criminal Procedure 3.800(a) motions are permitted even though the claims could have been raised in previously filed Rule 3.800(a) motions, and there is no time

limit for seeking such relief, the law of the case doctrine prevents a litigant from relitigating the same issues previously considered and rejected on the merits and reviewed on appeal).