

Third District Court of Appeal

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

Opinion filed June 11, 2008.

Not final until disposition of timely filed motion for rehearing.

No. 3D08-1100

Lower Tribunal No. 97-761

Herbert Goodman,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Monroe County, John A. Miller, Judge.

Herbert Goodman, in proper person.

Bill McCollum, Attorney General, for appellee.

Before SHEPHERD, CORTIÑAS, and SALTER, JJ.

PER CURIAM.

Based on our review of a prior motion for postconviction relief filed by the defendant, Goodman v. State, 973 So. 2d 454 (Fla. 3d DCA 2007) (table)

(affirming the lower court's summary denial of postconviction relief), we find that the defendant's current motion is successive, and that the defendant is not entitled to further relief. See McBride v. State, 848 So. 2d 287 (Fla. 2003); Pleasure v. State, 931 So. 2d 1000 (Fla. 3d DCA 2006) (holding that a defendant is not entitled to successive review of an issue already decided against him on its merits). We therefore affirm.

Affirmed.