

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

BURKE LAWTON,

Appellant,

v.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D09-5583

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed May 6, 2010.

An appeal from the Circuit Court for Duval County.
L. P. Haddock, Judge.

Burke Lawton, pro se, Appellant.

Bill McCollum, Attorney General, and Joshua R. Heller, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

We affirm the denial of appellant's four postconviction motions. However, the lower court also entered an order barring any further *pro se* pleadings. If a court wishes to bar a defendant from filing further *pro se* motions, it must issue a show cause order to provide the defendant with notice and an opportunity to

respond. See State v. Spencer, 751 So. 2d 47 (Fla. 1999). Accordingly, we reverse the lower court's order barring *pro se* pleadings, and remand for the court to comply with the requirements of Spencer.

AFFIRMED IN PART, REVERSED IN PART, and REMANDED.

HAWKES, C.J., VAN NORTWICK and THOMAS, JJ., CONCUR.