

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

JANUARY TERM 2012

HENRY PERCY GREENE,

Appellant,

v.

Case No. 5D11-3536

STATE OF FLORIDA,

Appellee.

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Opinion filed February 10, 2012

3.850 Appeal from the Circuit Court  
for Brevard County,  
John M. Griesbaum, Judge.

Henry P. Greene, Lowell, pro se.

Pamela J. Bondi, Attorney General,  
Tallahassee, and Wesley Heidt,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

In 1988, defendant/appellant Henry Percy Greene was convicted by a jury of capital sexual battery on a child, attempted sexual battery on a child, and multiple counts of lewd and lascivious assault on a child. At trial, the victim testified and Greene's taped confession was admitted into evidence. He received life, and other lesser sentences. He has since filed numerous claims seeking post-conviction relief on a variety of unmeritorious grounds.

Now more than twenty years after his conviction was final, Greene filed a successive non-meritorious claim of newly discovered evidence that the trial court

denied. This court granted him a belated appeal, however, as required by *State v. Trowell*, 739 So. 2d 77 (Fla. 1999). Upon review of his most recent appeal, we entered a show cause order pursuant to Florida Rule of Criminal Procedure 3.850(m) and *State v. Spencer*, 751 So. 2d 47, 48-49 (Fla. 1999).

Having carefully considered Greene's response, we conclude that he has provided no valid reason to allow him to continue to file frivolous appeals like this one. We conclude that he is abusing the judicial process, and that he should be barred from further *pro se* filings. We, therefore, prohibit Greene from filing with this Court any more *pro se* pleadings concerning case number 87-CF-4152 in the Circuit Court of the Eighteenth Judicial Circuit in and for Brevard County. See *Hastings v. State*, 36 Fla. L. Weekly S653, 2011 WL 5573935 (Fla. Nov. 17, 2011), and *Steele v. State*, 14 So. 3d 221, 223 (Fla. 2009) (recommending sanctions for both defendants and stating that the courts need to devote their finite resources to consideration of legitimate claims); *Britt v. State*, 931 So. 2d 209, 210 (Fla. 5th DCA 2006) (defendant's "*pro se* filings have become frivolous, an abuse of process, and a waste of the taxpayers' money"); *Isley v. State*, 652 So. 2d 409, 410-11 (Fla. 5th DCA 1995) ("Enough is enough.").

The Clerk of this Court is directed to forward a certified copy of this opinion to Greene and the appropriate institution for consideration of available disciplinary procedures. See Fla. R. Crim. P. 3.850(m). Rehearing will not be entertained.

AFFIRMED; Future *pro se* filings PROHIBITED; Certified Opinion FORWARDED to Greene and the Department of Corrections.

ORFINGER, C.J., GRIFFIN and MONACO, JJ., concur.