

Supreme Court of Florida

TUESDAY, APRIL 15, 2014

CASE NO.: SC13-1429
Lower Tribunal No(s): 2D13-501;
97-CF-13675

JOHNNIE F. HOWARD

vs. STATE OF FLORIDA

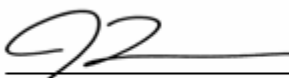
Petitioner(s)

Respondent(s)

Petitioner's "Motion to Treat Brief on the Merits as a Supplement Appendix to Petition for Writ of Habeas Corpus" is denied. The petition for writ of habeas corpus is hereby denied as procedurally barred. A petition for extraordinary relief is not a second appeal and cannot be used to litigate or relitigate issues that were or could have been raised on direct appeal or in prior postconviction proceedings. See Denson v. State, 775 So. 2d 288, 290 (Fla. 2000); Breedlove v. Singletary, 595 So. 2d 8, 10 (Fla. 1992).

PARIENTE, LEWIS, QUINCE, LABARGA, and PERRY, JJ., concur.

A True Copy
Test:



John A. Tomasino
Clerk, Supreme Court



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Served:

HON. PAMELA JO BONDI
JOHNNIE F. HOWARD
HON. PAT FRANK, CLERK
HON. JAMES R. BIRKHOLO, CLERK
HON. GREGORY PAUL HOLDER, JUDGE