

# Supreme Court of Florida

THURSDAY, MAY 7, 2009

CASE NO.: SC09-419

Lower Tribunal No(s): 90-20848

DEXTER GUNN

vs. WALTER A. MCNEIL, ETC.

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Petitioner(s)

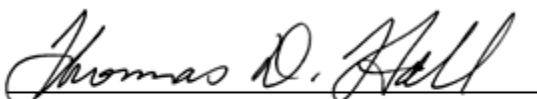
Respondent(s)

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, POLSTON, LABARGA, and PERRY, JJ., concur.

A True Copy

Test:



Thomas D. Hall  
Clerk, Supreme Court



bm

Served:

DEXTER GUNN  
KATHLEEN VON HOENE  
HON. BILL MCCOLLUM  
HON. HOWARD FORMAN, CLERK