

Supreme Court of Florida

WEDNESDAY, MAY 14, 2008

CASE NO.: SC07-1504

Lower Tribunal No(s): CRC9006491CFA
NO-M

ANTHONY NEAL WASHINGTON vs. STATE OF FLORIDA

Appellant(s)

Appellee(s)

Anthony Neal Washington, a prisoner under sentence of death, appeals the circuit court's summary denial of the second successive motion for postconviction relief, made pursuant to Florida Rule of Criminal Procedure 3.851. We have jurisdiction. See art. V, § 3(b)(1), Fla. Const.

We previously have affirmed (1) Washington's convictions and death sentence surrounding the murder of Alice Berdat, see Washington v. State, 653 So. 2d 362 (Fla. 1994); (2) the denial of the motion for postconviction relief filed pursuant to rule 3.850, see Washington v. State, 835 So. 2d 1083 (Fla. 2002) (also denying the habeas petition); (3) the denial of the first successive motion for postconviction relief filed pursuant to rule 3.851, see Washington v. State, 907 So. 2d 512 (Fla. 2005); and (4) the denial of the motion for DNA testing filed pursuant to rule 3.853, see Washington v. State, 942 So. 2d 414 (Fla. 2006) (table).

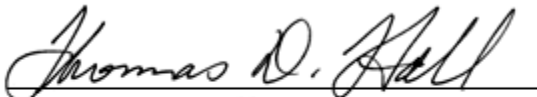
Having reviewed the briefs and the record for this appeal from the denial of the second successive rule 3.851 motion, we conclude that all of Washington's claims are either procedurally barred or without merit. Thus, we affirm the circuit court's order denying relief.

LEWIS, C.J., and WELLS, PARIENTE, QUINCE, CANTERO, and BELL, JJ.,
concur.

ANSTEAD, J., dissents.

A True Copy

Test:



Thomas D. Hall

Clerk, Supreme Court



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Served:

C. MARIE KING

ALI ANDREW SHAKOOR

ROBERT J. LANDRY

HON. KEN BURKE, CLERK

HON. SUSAN F. SCHAEFFER, JUDGE