

2025 WL 44361

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District Court of Appeal of Florida, First District.

Thomas DESPART, Appellant,

v.

Kristen KANNER, DCF/
SVP Director, Appellee.

No. 1D2023-3056

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January 8, 2025

On appeal from the Circuit Court for Leon County. [Angela C. Dempsey](#), Judge.

Attorneys and Law Firms

Thomas Despart, pro se, Appellant.

[Ashley Moody](#), Attorney General, and [Andrew McGinley](#), Assistant Attorney General, Tallahassee, for Appellee.

Opinion

Per Curiam.

*1 Thomas Despart appeals from the trial court's order dismissing his petition for a writ of mandamus against

Kristen Kanner, the Sexually Violent Predator Director of the Department of Children and Families. Finding no error by the trial court, we affirm. See [Green v. Steven Garrett Frisco, P.A.](#), 371 So. 3d 419, 421 (Fla. 1st DCA 2023) (explaining that mandamus will not lie unless the action sought by petitioner is clearly prescribed by law and can be performed without the exercise of discretion).

This is Despart's fifth pro se filing in this court in five years and his sixth total. The court finds that this appeal is frivolous and warns Despart that any future filings that this court determines to be frivolous or malicious may result in a prohibition against any future pro se filings in this court. See [State v. Spencer](#), 751 So. 2d 47, 49 (Fla. 1999) (holding that a court may deny a petitioner's pro se access to that court, after the petitioner fails to show cause pursuant to a show cause order, where the petitioner has filed repetitious and frivolous pleadings that diminish the court's ability to devote its finite resources to legitimate claims).

Affirmed.

[Osterhaus](#), C.J., and [Rowe](#) and [Winokur](#), JJ., concur.

All Citations

--- So.3d ----, 2025 WL 44361 (Mem)