

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

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

WILLIE MITCHELL,

Appellant,

v.

Case No. 5D13-4297

STATE OF FLORIDA,

Appellee.

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Opinion filed June 20, 2014

3.801 Appeal from the Circuit  
Court for Seminole County,  
Kenneth R. Lester, Jr., Judge.

Willie Mitchell, Miami, pro se.

Pamela Jo Bondi, Attorney General,  
Tallahassee, and Bonnie Jean Parrish,  
Assistant Attorney General, Daytona  
Beach, for Appellee.

PER CURIAM.

We affirm the trial court's order denying the rule 3.801 motion filed by appellant, Willie Mitchell, based on the facial insufficiency of the motion. Such affirmance is without prejudice to Mitchell amending his motion to state a facially sufficient claim. See Fla. R. Crim. P. 3.801(e).

PALMER, EVANDER and LAMBERT, JJ., concur.