

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

JHOAN ESCOBAR-GRAJALES,

Appellant,

v.

Case No. 5D14-3890

STATE OF FLORIDA,

Appellee.

\_\_\_\_\_ /

Opinion filed May 29, 2015

3.850 Appeal from the Circuit Court  
for Orange County,  
Marc L. Lubet, Judge.

Jhoan Escobar-Grajales, Bushnell,  
pro se.

James S. Purdy, Public Defender, and  
Samuel A. Perrone, Assistant Public  
Defender, Daytona Beach, for Appellant.

PER CURIAM.

Jhoan Escobar-Grajales appeals the summary denial of his motion and amended motion for postconviction relief filed pursuant to Florida Rule of Criminal Procedure 3.850. As the State concedes, the first ground for relief set forth in Escobar-Grajales's motion is facially sufficient and not conclusively rebutted by the record. Accordingly, Escobar-

Grajales is entitled to a hearing on that claim. We affirm, without comment, the trial court's order denying relief on the remainder of the asserted claims.

AFFIRMED in part; REVERSED in Part; REMANDED.

TORPY, C.J., ORFINGER and LAMBERT, JJ., concur.