

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

MIGUEL TRUJILLO,

Appellant,

v.

Case No. 5D18-2333

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed October 19, 2018

3.850 Appeal from the Circuit Court
for Putnam County,
Patti A. Christensen, Judge.

Miguel Trujillo, Raiford, pro se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Allison L. Morris,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

We reverse the trial court's summary denial of Ground 1 of Appellant's Florida Rule of Criminal Procedure 3.850 Motion for Postconviction Relief because Appellant should have been afforded the opportunity to amend his facially insufficient claim. See *Taylor v. State*, 248 So. 3d 280, 281 (Fla. 5th DCA 2018) ("Because [appellant] had not previously sought or been given leave to amend his rule 3.850 motion, and because the pleading

deficiency in his motion is likely correctable, he should be given the chance to do so.”)

The trial court’s order is otherwise affirmed.

AFFIRMED, in part; REVERSED, in part; and REMANDED.

COHEN, C.J., ORFINGER and EVANDER, JJ., concur.