

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

JOSEPH R. WATTS,

Appellant,

v.

Case No. 5D19-1059

STATE OF FLORIDA,

Appellee.

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Opinion filed November 1, 2019

3.850 Appeal from the Circuit  
Court for Orange County,  
Denise Kim Beamer, Judge.

Joseph R. Watts, Blountstown, pro se.

No Appearance for Appellee.

PER CURIAM.

Appellant, Joseph R. Watts, appeals the summary denial of his postconviction motion alleging newly discovered evidence, arguing that the record does not conclusively refute his claim. We agree. *See, e.g., Floyd v. State*, 202 So. 3d 137, 138 (Fla. 2d DCA 2016). We therefore remand for the trial court to attach records that conclusively refute Appellant's claim or to hold an evidentiary hearing.

REVERSED AND REMANDED for further proceedings.

LAMBERT, EISNAUGLE and GROSSHANS, JJ., concur.