

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

DEVALLE ROBINSON,

Appellant,

v.

Case No. 5D22-1085
LT Case Nos. 2020-101839-CFDL
2020-101858-CFDL

STATE OF FLORIDA,

Appellee.

Opinion filed September 2, 2022

3.850 Appeal from the Circuit Court
for Volusia County,
James R. Clayton, Judge.

Robert J. Slama, of Robert J. Slama,
P.A., Jacksonville, for Appellant.

No Appearance for Appellee.

PER CURIAM.

Devalle Robinson appeals the summary denial of his motion for postconviction relief filed pursuant to Florida Rule of Criminal Procedure 3.850. In his motion, Robinson alleges that 1) his plea was involuntary because he did not understand the terms of the plea agreement, and 2) the trial court failed to determine that a factual basis for the plea existed. Because the records attached to the trial court's order do not conclusively refute Robinson's claims, we reverse and remand for the trial court to either attach records conclusively refuting Robinson's claims or to hold an evidentiary hearing.

REVERSED AND REMANDED.

LAMBERT, C.J., EVANDER and HARRIS, JJ., concur.