

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

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

AVALON KEVIN JONES,

Appellant,

v.

CASE NO. 1D05-1237

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed March 27, 2006.

An appeal from an order of the Circuit Court for Columbia County.

Paul S. Bryan, Judge.

Nancy A. Daniels, Public Defender; A. Victoria Wiggins, Assistant Public Defender,
Tallahassee, for appellant.

Charlie Crist, Attorney General; Tracy Lee Cooper, Assistant Attorney General,
Tallahassee, for appellee.

PER CURIAM.

Appellant challenges the trial court's denial of his motion to withdraw his plea
filed pursuant to Florida Rule of Criminal Procedure 3.170(l). He properly asserts that

the trial court erred in not appointing conflict-free counsel for the hearing on the motion. See Bullard v. State, 860 So. 2d 452 (Fla. 1st DCA 2003).

Accordingly, the order denying appellant's motion to withdraw the plea is reversed, and the case is remanded for appointment of conflict-free counsel and for a new hearing on appellant's motion.

BARFIELD, WOLF, and BROWNING, JJ., CONCUR.