

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

WILLIE R. LEE,

Appellant,

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

v.

CASE NO. 1D06-3102

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed September 27, 2006.

An appeal from the Circuit Court for Taylor County.
James R. Bean, Judge.

Willie R. Lee, pro se, Appellant.

Charlie Crist, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

Having considered the appellant's response to this Court's order, dated August 9, 2006, we dismiss this appeal. The trial court found the appellant's claims in his rule 3.850 motion facially insufficient and dismissed the motion without prejudice to refile a facially sufficient motion. Rowe v. State, 932 So. 2d 1291 (Fla. 2d DCA 2006). Therefore, the trial court's order is a nonappealable, nonfinal order. Williams v. State,

884 So. 2d 374 (Fla. 2d DCA 2004).

DISMISSED.

ALLEN, WEBSTER, and DAVIS, JJ., CONCUR.