

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

JEFFREY SCOTT ROLAND,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D14-985

[December 17, 2014]

Appeal of order denying rule 3.853 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Martin J. Bidwill, Judge; L.T. Case No. 01-006152 CF10A.

Jeffrey Scott Roland, Daytona, pro se.

Pamela Jo Bondi, Attorney General, Tallahassee, and James J. Carney, Assistant Attorney General, West Palm Beach, for appellee.

PER CURIAM.

The State concedes in its response to this court's order to show cause that this matter must be reversed and remanded for further consideration of appellant's rule 3.853 motion for DNA testing. This cause is remanded for the trial court to consider the merits of that motion. In doing so, the trial court may also consider, if appropriate, its earlier ruling on appellant's petition for release and transportation of evidence for DNA testing, and motion for order directing buccal swabbing.

Reversed and remanded.

WARNER, GERBER and LEVINE, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.