

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2005

KEVIN GALLAGHER,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D04-2591

[August 24, 2005]

PER CURIAM.

Kevin Gallagher filed a rule 3.850 motion raising several challenges. We reverse and remand for further proceedings in connection with his seventh point, which we find legally sufficient. See *Grosvenor v. State*, 874 So. 2d 1176 (Fla.), cert. denied, 125 S. Ct. 627 (2004). The remaining issues were properly denied.

STEVENSON, C.J., GUNTHER and HAZOURI, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Geoffrey D. Cohen, Judge; L.T. Case No. 01-6738 CF10A.

Carey Haughwout, Public Defender, and Margaret Good-Earnest and Marcy K. Allen, Assistant Public Defenders, West Palm Beach, for appellant.

Charles J. Crist, Jr., Attorney General, Tallahassee, and Katherine Y. McIntire and Richard Valuntas, Assistant Attorneys General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.