

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

LOUIS G. WENDLER,
Petitioner,

v.

STATE OF FLORIDA,
Respondent.

No. 4D05-3537

[November 16, 2005]

PER CURIAM.

We grant the above styled petition for writ of certiorari as Petitioner's motion filed pursuant to Florida Rule of Criminal Procedure 3.800(c) was timely filed and did not require an oath. Upon remand, the trial court shall consider the merits of Petitioner's May 17, 2005, motion.

STONE, POLEN and KLEIN, JJ., concur.

* * *

Petition for writ of certiorari to the Circuit Court for the Nineteenth Judicial Circuit, Martin County; Larry Schack, Judge; L.T. Case No. 02-1747 CFA.

Louis G. Wendler, Chattahoochee, pro se.

Charles J. Crist, Jr., Attorney General, Tallahassee, and Monique E. L'Italien, Assistant Attorney General, West Palm Beach, for respondent.

Not final until disposition of timely filed motion for rehearing.