

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2007

RAFIQ REHMAN RASHDI,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D06-3190

[February 14, 2007]

PER CURIAM.

Rafiq Rehman Rashdi seeks review of an order that summarily denied his rule 3.850 motion through which he sought to withdraw his plea as involuntary. Rashdi's claim centers on his allegation that he was never advised by the trial court that his plea may subject him to deportation. See Fla. R. Crim. P. 3.172(c)(8). Considering the Florida Supreme Court's most recent pronouncement in *State v. Green*, 944 So. 2d 208 (Fla. 2006), coupled with its previous decision in *Seraphin v. State*, 818 So. 2d 485 (Fla. 2002), this case is reversed and remanded to the trial court for an evidentiary hearing.

POLEN, SHAHOOD and MAY, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; John J. Murphy, III, Judge; L.T. Case Nos. 94-21103 CF10B & 94-21104 CF10A.

Robert G. Amsel of Robbins, Tunkey, Ross, Amsel, Raben & Waxman, P.A., Miami, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Mark J. Hamel, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.