

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

NASER YOUSEF GHNEIM,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D06-3631

[March 21, 2007]

PER CURIAM.

Naser Yousef Ghneim seeks review of an order that summarily denied his rule 3.850 motion through which he sought to withdraw his plea as involuntary. Ghneim's claim centers on his allegation that he was not advised that the 1997 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), associated with the timeliness of the motion, and the threshold allegations necessary to support the claim, this case is reversed and remanded to the trial court for an evidentiary hearing. See also *Gaston v. State*, 32 Fla. L. Weekly S78 (Fla. Feb. 8, 2007).

KLEIN, SHAHOOD and MAY, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Jeffrey R. Levenson, Judge; L.T. Case No. 96-24615 CF10A.

Debra Kay Cohen, North Miami, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Don M. Rogers, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing