

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2008

MORRIS MILLER,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D08-640

[April 16, 2008]

PER CURIAM.

Affirmed. On appellant's third claim of ineffective assistance of trial counsel for advising him to reject a plea offer and to take his case to trial instead, we certify conflict with the Third District's decisions in *Gomez v. State*, 832 So. 2d 793 (Fla. 3d DCA 2002), and *Sharpe v. State*, 861 So. 2d 483 (Fla. 3d DCA 2003). See *Morgan v. State*, 941 So. 2d 1198 (Fla. 4th DCA 2006), *rev. granted*, 956 So. 2d 456 (Fla. 2007).

KLEIN, GROSS and MAY, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Michael Kaplan, Judge; L.T. Case No. 05-2087 CF10.

Morris Miller, South Bay, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing