

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2010

JOHN BLACKER,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D09-81

[August 18, 2010]

PER CURIAM.

We reverse the trial court's March 2, 2009 order striking appellant's pro se amended motion for postconviction relief. Appellant was expressly given leave of court to file this amended motion to correct pleading deficiencies. *See Burke v. State*, 732 So. 2d 1194 (Fla. 4th DCA 1999). On remand, the trial court shall consider the merits of appellant's grounds (1) and (7) which were raised in the amended motion. We affirm the denial of all of appellant's other claims.

Affirmed in part and reversed in part.

GROSS, C.J., MAY and DAMOORGIAN, JJ., concur.

* * *

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, Indian River County; Robert L. Pegg, Judge; L.T. Case No. 311998CF000294BXXXXX.

John Blacker, Avon Park, pro se.

Bill McCollum, Attorney General, Tallahassee, and Laura Fisher, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.