

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

**RONNIE WHITE,**  
Petitioner,

v.

**STATE OF FLORIDA,**  
Respondent.

No. 4D10-2442

[August 11, 2010]

PER CURIAM.

Ronnie White filed a pro se appeal from an order striking his motion to reduce his sentence filed pursuant to Florida Rule of Criminal Procedure 3.800(c). We treat the appeal as a petition for certiorari. We grant relief based on *Schlabach v. State*, 37 So. 3d 230 (Fla. 2010), which issued after the court ruled on White's motion.<sup>1</sup> Pursuant to *Schlabach*, the trial court did not lose jurisdiction to rule on the timely filed motion. Consequently, we quash the order and remand the matter for the trial court to consider the merits of White's motion.

*Petition Granted; Order Quashed; Remanded.*

STEVENSON, HAZOURI and MAY, JJ., concur.

\* \* \*

Petition for writ of certiorari to the Circuit Court for the Nineteenth Judicial Circuit, St. Lucie County; Lawrence M. Mirman, Judge; L.T. Case No. 562007CF2820C.

Ronnie White, Raiford, pro se.

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<sup>1</sup> The order cited this court's decision in *State v. Schlabach*, 1 So. 3d 1091 (Fla. 4th DCA 2009). Subsequently, the Florida Supreme Court quashed this court's decision in favor of the second district's approach in *Childers v. State*, 972 So. 2d 307 (Fla. 2d DCA 2008).

Bill McCollum, Attorney General, Tallahassee, and Melynda L. Melear, Assistant Attorney General, West Palm Beach, for respondent.

***Not final until disposition of timely filed motion for rehearing.***