

Third District Court of Appeal
State of Florida, January Term, A.D. 2011

Opinion filed January 26, 2011.
Not final until disposition of timely filed motion for rehearing.

No. 3D10-3321
Lower Tribunal No. 01-15137

Bobby Jones a/k/a Robert Jones,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Roberto M. Pineiro, Judge.

Bobby Jones a/ka/ Robert Jones, in proper person.

Pamela Jo Bondi, Attorney General.

Before CORTIÑAS, ROTHENBERG, and SALTER, JJ.

PER CURIAM.

This is an appeal of an order summarily denying a motion under Florida

Rule of Criminal Procedure 3.800(a). On appeal from a summary denial, this Court must reverse unless the postconviction record, see Fla. R. App. P. 9.141(b)(2)(A), shows conclusively that the appellant is entitled to no relief. See Fla. R. App. P. 9.141(b)(2)(D).

Because the record now before us fails to make the required showing, we reverse the order and remand for further proceedings. If the trial court again enters an order summarily denying the postconviction motion, the court shall attach record excerpts conclusively showing that the appellant is not entitled to any relief.

Reversed and remanded for further proceedings.