

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

BENJAMIN LEE BLUNT, JR.,

Appellant,

v.

Case No. 5D16-1006

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed July 29, 2016

3.850 Appeal from the Circuit Court
for Lake County,
William G. Law, Jr, Judge.

Benjamin Lee Blunt, Jr., Orlando, pro se.

No Appearance for Appellee.

PER CURIAM.

Benjamin Lee Blunt, Jr., appeals the summary denial of his motion for postconviction relief. Although unclear, it appears to us, as it did to the trial court, that the motion was filed pursuant to Florida Rule of Criminal Procedure 3.850. We affirm the trial court's summary denial of the motion, but conclude that Blunt should have been given an opportunity to amend his facially defective motion if he can do so in good faith. See Fla. R. Crim. P. 3.850(b)(1); Spera v. State, 971 So. 2d 754, 761-62 (Fla. 2007).

AFFIRMED IN PART; REVERSED IN PART.

LAWSON, C.J., ORFINGER and EVANDER, JJ., concur.