

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

SHARRON DESHAZIER,

Appellant,

v.

Case No. 5D16-1184

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed September 23, 2016

3.850 Appeal from the Circuit Court
for Orange County,
Renee A. Roche, Judge.

Sharron Deshazier, Lowell, pro se.

No Appearance for Appellee.

PER CURIAM.

Sharron Deshazier appeals the summary denial of his Florida Rule of Criminal Procedure 3.850 motion for postconviction relief in which he alleged ineffective assistance of trial counsel. We conclude that although the allegations set forth in Ground One and a part of Ground Four (the alleged failure to depose Marty Carr or Steven Reed) were legally insufficient, Deshazier should have been afforded the opportunity to amend these

particular claims. See *Spera v. State*, 971 So. 2d 754, 761-62 (Fla. 2007). The trial court's order is otherwise affirmed.

AFFIRMED, in part; REVERSED, in part; and REMANDED.

ORFINGER, TORPY and EVANDER, JJ., concur.