

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

THOMAS L. CARR,

Appellant,

v.

Case No. 5D16-3959

STATE OF FLORIDA,

Appellee.

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Opinion filed June 2, 2017

3.850 Appeal from the Circuit Court  
for Brevard County,  
Jeffrey Mahl, Judge.

Thomas L. Carr, Milton, pro se.

Pamela Jo Bondi, Attorney General,  
Tallahassee, and Lori N. Hagan, Assistant  
Attorney General, Daytona Beach, for  
Appellee.

PER CURIAM.

Thomas L. Carr appeals the trial court's order summarily denying his rule 3.850 motion for postconviction relief as improperly successive. After considering the unusual facts and the unique procedural history of this case, we conclude that good cause existed to allow the successive filing. See Fla. R. Crim. P. 3.850(h)(2). Accordingly, we reverse the order of the trial court and remand for consideration on the merits.

REVERSED and REMANDED.

SAWAYA, BERGER, and WALLIS, JJ., concur.