

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

JORGE MEDEROS-MORALES,

Appellant,

v.

Case No. 5D17-466

STATE OF FLORIDA,

Appellee.

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Opinion filed July 21, 2017

3.850 Appeal from the Circuit  
Court for Putnam County,  
Scott C. Dupont, Judge.

Jorge Mederos-Morales,  
DeFuniak Springs, pro se.

Pamela Jo Bondi, Attorney General,  
Tallahassee, and Rebecca Rock  
McGuigan, Assistant Attorney General,  
Daytona Beach, for Appellee.

PER CURIAM.

Appellant, Jorge Mederos-Morales, seeks review of a summary denial of his rule 3.850 motion, alleging ineffective assistance of counsel after he entered an open plea to the offense of failure to register as a career offender. See Fla. R. Crim. P. 3.850. In his motion, Appellant alleges that counsel was ineffective for allowing him to plead to the offense because he does not meet some of the criteria of a "career offender" as set forth

in section 775.261(2)(a), Florida Statutes (2014). Appellant, however, failed to allege that he did not meet the final criterion, designation as a prison releasee reoffender, which would also make him a "career offender." As such, his motion is insufficient on its face. We reverse and remand with instructions to strike Appellant's motion with leave to amend. See Fla. R. Crim. P. 3.850(f)(2); see also *Bhoj v. State*, 172 So. 3d 564, 565 (Fla. 5th DCA 2015).

REVERSED and REMANDED.

COHEN, C.J., EVANDER and EISNAUGLE, JJ., concur.