

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

CODY LEE WHITE,

Appellant,

v.

Case No. 5D17-842

STATE OF FLORIDA,

Appellee.

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Opinion filed July 21, 2017

3.850 Appeal from the Circuit  
Court for Osceola County,  
Jon B. Morgan, Judge.

Cody Lee White, Raiford, pro se.

No Appearance for Appellee.

EDWARDS, J.

Cody White appeals the summary denial of his amended motion for postconviction relief filed pursuant to Florida Rule of Criminal Procedure 3.850. We affirm as to grounds one, two, three, four, six, and seven. However, we reverse as to ground five because it is not conclusively refuted by the record. We remand to the trial court either to attach records that conclusively refute ground five or to conduct an evidentiary hearing on that ground.

AFFIRMED in part; REVERSED in part; and REMANDED.

WALLIS and EISNAUGLE, JJ., concur.