

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

DONTAVION KING,

Appellant,

v.

Case No. 5D18-1715

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed December 21, 2018

3.850 Appeal from the Circuit
Court for Orange County,
Marc L. Lubet, Judge.

Dontavion King, Century, pro se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Carmen F. Corrente,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

The motion for postconviction relief under review is not contained within the record and cannot be located by the lower court, the lower court clerk or the State. Accordingly, this cause is reversed and remanded with directions that Appellant be permitted to re-file an amended motion within thirty days after the mandate issues, upon which the trial court shall render a ruling. *See Peraza v. State*, 920 So. 2d 188 (Fla. 2d DCA 2006).

REVERSED AND REMANDED.

ORFINGER, TORPY and BERGER, JJ., concur.