

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FIFTH
DISTRICT

JULY TERM 2004

CHRISTOPHER NOLAN,

Appellant,

v.

CASE NO. 5D04-1019

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed August 6, 2004

3.850 Appeal from the Circuit Court
for St. Johns County,
Robert K. Mathis, Judge.

Christopher Nolan, Cross City, Pro Se.

Charles J. Crist, Jr., Attorney General, Tallahassee,
and Pamela J. Koller, Assistant Attorney General,
Daytona Beach, for Appellee.

PER CURIAM.

We affirm the trial court's denial of grounds 1, 3 and 4 of Christopher Nolan's motion for postconviction relief filed pursuant to Florida Rule of Criminal Procedure 3.850. We remand the matter to the trial court for further consideration of ground 2 of Nolan's postconviction motion in light of the supreme court's opinion in Grosvenor v. State, 29 Fla. L. Weekly S125 (Fla. Mar. 25, 2004), which had not been published at the time of the trial court's order.

AFFIRMED IN PART AND REMANDED.

SHARP, W. and ORFINGER, JJ., concur.
GRIFFIN, J., dissents without opinion.

