

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

JANUARY TERM 2013

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

BRADLEY PRUCHA,

Appellant,

v.

Case No. 5D12-1636

STATE OF FLORIDA,

Appellee.

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Opinion filed March 1, 2013

3.850 Appeal from the Circuit Court  
for Lake County,  
Don F. Briggs, Judge.

Bradley Prucha, Crestview, pro se.

Pamela Jo Bond, Attorney General,  
Tallahassee, Wesley Heidt and Anthony J.  
Golden, Assistant Attorneys General,  
Daytona Beach, for Appellee.

PER CURIAM.

We affirm the denial of Appellant's rule 3.850 motion in all respects except that the trial court should have afforded Appellant the opportunity to amend claims 3 and 4, which pertain to the contention that trial counsel failed to investigate and inform Appellant about the viability of a motion to suppress evidence. Inartful and legally insufficient as the claims might be, we cannot say that Appellant cannot state a legally sufficient claim. *Spera v. State*, 971 So. 2d 754, 758 (Fla. 2007).

AFFIRMED IN PART; REVERSED IN PART AND REMANDED.

TORPY, EVANDER and BERGER, JJ., concur.