

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2014

WESLEY PAUL,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

Nos. 4D13-2974 and 4D13-3130

[May 7, 2014]

Consolidated appeals of orders denying rule 3.850 motions from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Barbara McCarthy, Judge; L.T. Case Nos. 10-20584 CF10A, 09-18114 CF10A, 09-18113 CF10A and 08-10007 CF10B.

Wesley Paul, Doral, pro se.

No appearance required for appellee.

PER CURIAM.

We vacate the amended lower court orders summarily denying appellant's rule 3.850 motions in the following lower court cases: 08-10007 CF10B, 09-18113 CF10A, 09-18114 CF10B and 10-20584 CF10A, as the lower court did not have jurisdiction to rule on the motions while appellant's direct appeal was pending in this court in case number 4D12-4476. *Dawudi v. State*, 929 So. 2d 1188 (Fla. 4th DCA 2006); *Owens v. State*, 911 So. 2d 1277 (Fla. 4th DCA 2005); *Perez v. State*, 834 So. 2d 882 (Fla. 4th DCA 2002) (en banc). That appeal remains pending. We remand with directions to the lower court to stay proceedings on these motions until the pending direct appeal is resolved.

Vacated and remanded for stay pending appeal.

STEVENSON, CIKLIN and FORST, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.