

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

TOMMY MEEKS,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D16-131

[August 3, 2016]

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Andrew L. Siegel, Judge; L.T. Case No. 10-4797CF10A.

Tommy Meeks, Blountstown, pro se.

Pamela Jo Bondi, Attorney General, Tallahassee, and Richard Valuntas, Assistant Attorney General, West Palm Beach, for appellee.

PER CURIAM.

Appellant was convicted of trafficking in oxycodone and sale of delivery of alprazolam. He appeals the summary denial of his three-claim motion for post-conviction relief. We affirm the summary denial of points one and two without further comment. However, we reverse and remand as to point three, where appellant claims trial counsel misadvised him that if he testified at trial he could be cross-examined as to the details of his prior criminal record. *See Hicks v. State*, 666 So. 2d 1021, 1023 (Fla. 4th DCA 1996); *Curtis v. State*, 689 So. 2d 423, 424 (Fla. 4th DCA 1997); *Hope v. State*, 960 So. 2d 912, 913 (Fla. 4th DCA 2007). The trial court is directed to either attach portions of the record conclusively showing appellant is not entitled to relief as to this claim or to conduct an evidentiary hearing.

Affirmed in part, reversed in part, and remanded with directions.

GROSS, TAYLOR and DAMOORGIAN, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.