

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

DAMAS JOSEPH,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D16-315

[February 22, 2017]

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Edward Harold Merrigan, Judge; L.T. Case No. 08-3934 CF10A.

Damas Joseph, Arcadia, pro se.

Pamela Jo Bondi, Attorney General, Tallahassee, and Jeanine M. Germanowicz, Assistant Attorney General, West Palm Beach, for appellee.

MAY, J.

The defendant appeals the summary denial of his rule 3.850 motion. We find no merit in the issues raised in grounds 1B, 2, and 3. The trial court denied these grounds and we affirm. The trial court however did not rule on ground 1A. We therefore reverse in part and remand the case to the trial court to rule on ground 1A of the defendant's motion. *Kafus v. State*, 933 So. 2d 1267 (Fla. 2d DCA 2006) (affirming the denial of the addressed claims, but reversing for the trial court to rule on the claims not addressed).

Affirmed in part; reversed in part.

TAYLOR and FORST, JJ., concur.

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Not final until disposition of timely filed motion for rehearing.