

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

ZACHARY TAYLOR ZEMAN,
Appellants,

v.

STATE OF FLORIDA,
Appellees.

No. 4D17-2995

[March 7, 2018]

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Jeffrey J. Colbath, Judge; L.T. Case No. 50-2006-CF-001948-BXXX-MB.

Robert A. Herce of Herce & Herce, P.A., Tampa, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Mitchell A. Egber, Assistant Attorney General, West Palm Beach, for appellee.

PER CURIAM.

We reverse the trial court's order summarily denying appellant's motion for postconviction relief and remand for further proceedings. We agree with appellant that the trial court erred in summarily denying his claim of newly discovered evidence without conducting an evidentiary hearing. See *Nordelo v. State*, 93 So. 3d 178 (Fla. 2012). We express no opinion on the merits.

Reversed and remanded.

GERBER, C.J., GROSS and CONNER, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.