

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2006

THOMAS J. MORGAN,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D04-4448

[November 8, 2006]

PER CURIAM.

Thomas Morgan seeks review of an order that denied his motion for postconviction relief. See Fla. R. Crim. P. 3.850. We affirm the trial court's denial of relief as to the eight points presented, but write to certify conflict associated with one claim.

In his fourth point, Morgan alleges ineffective assistance of trial counsel regarding counsel's advice that Morgan reject a favorable plea offer. Morgan alleges that counsel assured him a win at trial, or at worst, a conviction for a reduced offense. This court affirmed the summary denial of a similar claim in *Gonzales v. State*, 691 So. 2d 602 (Fla. 4th DCA), *rev. denied*, 700 So. 2d 685 (Fla. 1997). We certify conflict with the Third District's decisions in *Gomez v. State*, 832 So. 2d 793 (Fla. 3d DCA 2002), and *Sharpe v. State*, 861 So. 2d 483 (Fla. 3d DCA 2002), on this point.

Affirmed.

GUNTHER, WARNER and HAZOURI, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Alfred J. Horowitz, Judge; L.T. Case No. 98-22601 CF10A.

Thomas J. Morgan, South Bay, pro se.

Charles J. Crist, Jr., Attorney General, Tallahassee, and Melanie Dale Surber, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.