

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

STACEY MOORE,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D06-3197

[September 13, 2006]

PER CURIAM.

The trial court's order summarily denying appellant's motion for post-conviction relief without prejudice is affirmed. Although the supplement to the motion for post-conviction relief contains a proper oath, the oath appended to the original motion is legally insufficient. Thus, the trial court properly denied appellant's motion without prejudice to the filing of a duly sworn motion. *See generally Scott v. State*, 464 So. 2d 1171 (Fla. 1985); *Hundley v. State*, 929 So. 2d 1087 (Fla. 4th DCA 2006).

STEVENSON, C.J., GUNTHER and KLEIN, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Paul L. Backman, Judge; L.T. Case No. 03-18944 CF10A.

Stacey Moore, Belle Glade, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.