

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2011

TIMOTHY SHIELDS,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D08-1710

[August 31, 2011]

ON MOTION FOR REHEARING

PER CURIAM.

The State of Florida moved for rehearing, having discovered the transcript of a “second proceeding” in this post-conviction case. The transcript reveals that the trial judge verbally announced his findings of fact and conclusions of law following the evidentiary hearing. Now that we have the complete record, we grant rehearing and withdraw our prior opinions in *Shields v. State*, 36 Fla. L. Weekly D2466 (Fla. 4th DCA July 6, 2011) and *Shields v. State*, 59 So. 3d 385 (Fla. 4th DCA 2011). We substitute this opinion in place of those previously issued.

Based on the record now before this court, the trial court’s orders in this case, summarily denying some of appellant’s claims and denying others following an evidentiary hearing, are affirmed.

Affirmed.

POLEN, HAZOURI and DAMOORGIAN, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Nineteenth Judicial Circuit, St. Lucie County; Larry Schack, Judge; L.T. Case No. 562001CF003907A.

Jennifer R. Kuczler, Fort Pierce, and Timothy Shields, Orlando, for

appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and James J. Carney, Assistant Attorney General, West Palm Beach, for appellee.