

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING  
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

WILLIAM JOHN VANDORNICK,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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Case No. 2D15-1254

Opinion filed October 9, 2015.

Appeal pursuant to Fla. R. App. P.  
9.141(b)(2) from the Circuit Court for  
Charlotte County; George C. Richards,  
Judge.

William John Vandornick, pro se.

MORRIS, Judge.

We affirm the order dismissing William John Vandornick's motion filed under Florida Rule of Criminal Procedure 3.850 without prejudice to his timely refiling his motion now that the direct appeal of his judgment and sentence has concluded. See Daniels v. State, 712 So. 2d 765, 765 (Fla. 1998) (holding that during the pendency of a direct appeal, a trial court is without jurisdiction to rule on a postconviction motion).

SILBERMAN and BLACK, JJ., Concur.