

DISTRICT COURT OF APPEAL OF FLORIDA  
SECOND DISTRICT

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JAMES MARCELIN,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

No. 2D21-1071

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October 21, 2021

Appeal pursuant to Fla. R. App. P. 9.141(b)(2) from the Circuit Court for Polk County; Michael P. McDaniel, Judge.

PER CURIAM.

We affirm the postconviction court's denial of James Marcelin's motion filed pursuant to Florida Rule of Criminal Procedure 3.850 without prejudice to Marcelin filing a facially sufficient motion pursuant to Florida Rule of Criminal Procedure 3.800(a) if he can do so in good faith.

Affirmed.

NORTHCUTT, LUCAS, and ROTHSTEIN-YOUAKIM, JJ., Concur.

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Opinion subject to revision prior to official publication.