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

	IN THE DISTRICT COURT OF APPEAL
	OF FLORIDA
	SECOND DISTRICT
JOE FUSSELL,	)
Appellant,	)
V.	) Case No. 2D01-3408
STATE OF FLORIDA,	)
Appellee.	) ) )
Opinion filed October 16, 2002.	
Appeal pursuant to Fla. R. App. P. 9.141(b)(2) from the Circuit Court for Hillsborough County; Jack Espinosa, Jr.,	

PER CURIAM.

Judge.

Joe Fussell challenges the trial court's order summarily denying his motion filed pursuant to Florida Rule of Criminal Procedure 3.850. We affirm.

In his motion, Fussell alleged that his plea was involuntary because defense counsel affirmatively misadvised him regarding the future sentencing-enhancing effects of the plea in regard to an as yet uncommitted crime. In <u>Stansel v.</u>

<u>State</u>, 27 Fla. L. Weekly D1947 (Fla. 2d DCA Aug. 28, 2002), we held that this claim is not cognizable in a rule 3.850 motion. We certify the same question that we certified in <u>Stansel</u>. We affirm, without discussion, any other issues raised by Fussell in his motion.

ALTENBERND, WHATLEY, and NORTHCUTT, JJ., Concur.