

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

CHARLES DORRIS,)	
)	
Appellant,)	
)	
v.)	Case No. 2D08-2029
)	
STATE OF FLORIDA,)	
)	
Appellee.)	
_____)	

Opinion filed January 14, 2009.

Appeal pursuant to Fla. R. App. P.
9.141(b)(2) from the Circuit Court for
Lee County; Mark A. Steinbeck, Judge.

PER CURIAM.

We affirm the postconviction court's order summarily denying Charles Dorris's motion filed pursuant to Florida Rule of Criminal Procedure 3.850. Our affirmance is without prejudice to any right Dorris may have to file a facially sufficient rule 3.850 motion seeking to withdraw his pleas on the ground that they were involuntarily entered. Any such motion shall be filed within sixty days from the date of the issuance of the mandate in this case. We note that if Dorris is ultimately successful in withdrawing from his negotiated plea agreement, he may be subject to any legal

sentences that could be imposed upon conviction of the offenses charged. See Towery v. State, 977 So. 2d 774 (Fla. 2d DCA 2008).

Affirmed.

FULMER, KELLY, and VILLANTI, JJ., Concur.