



the motion and permitted Mr. Wooten to refile an amended version within sixty days of the date of its order. Unfortunately, however, the court also advised Mr. Wooten that he had only thirty days to appeal the order. "That advice was legally incorrect." See Callaghan v. State, 34 Fla. L. Weekly D1415, D1415 (Fla. 2d DCA July 15, 2009) (citing Lawrence v. State, 987 So. 2d 157 (Fla. 2d DCA 2008)).

A dismissal of a postconviction motion without prejudice, which contemplates further amendment or refiling before it can be considered on its merits, is a nonfinal, nonappealable order. See Havens v. State, 27 So. 3d 803, 804 (Fla. 2d DCA 2010); Christner v. State, 984 So. 2d 561, 563 (Fla. 2d DCA 2008). It appears that Mr. Wooten has until sometime in November 2010 before his time to file motions under rule 3.850 will have expired. However, the circuit court's admonition to refile the motion within a specific time has been approved by this court as a way to insure that rule 3.850 motions raising one or more claims are ripened and ready for disposition on the merits—and further appellate review if denied—in a timely and efficient manner. See Havens, 27 So. 3d at 804; Christner, 984 So. 2d at 563. Therefore, this court's dismissal is without prejudice for Mr. Wooten to refile his amended motion in the circuit court within sixty days of the date of this order.

VILLANTI and LaROSE, JJ., Concur.