

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

ROBERT EY,)	
)	
Appellant,)	
)	
v.)	Case No. 2D03-2811
)	
STATE OF FLORIDA,)	
)	
Appellee.)	
_____)	

Opinion filed November 7, 2003.

Appeal pursuant to Fla. R. App. P.
9.141(b)(2) from the Circuit Court for
Pinellas County; Richard A. Luce, Judge.

PER CURIAM.

Affirmed. See Alexander v. State, 830 So. 2d 899 (Fla. 2d DCA 2002);
Brown v. State, 827 So. 2d 1054 (Fla. 2d DCA 2002); McGee v. State, 684 So. 2d 241
(Fla. 2d DCA 1996). As this court did in Alexander, 830 So. 2d at 899-90, we certify the
same question of great public importance, to wit:

WHETHER ALLEGATIONS OF AFFIRMATIVE MISADVICE
BY TRIAL COUNSEL ON THE SENTENCE ENHANCING
CONSEQUENCES OF A DEFENDANT'S PLEA FOR
FUTURE CRIMINAL BEHAVIOR IN AN OTHERWISE
FACIALLY SUFFICIENT MOTION ARE COGNIZABLE AS
AN INEFFECTIVE ASSISTANCE OF COUNSEL CLAIM.

Affirmed; question certified.

FULMER, KELLY, and WALLACE, JJ., Concur.