

Third District Court of Appeal

State of Florida

Opinion filed November 22, 2017.
Not final until disposition of timely filed motion for rehearing.

No. 3D17-1591
Lower Tribunal No. 12-28493A

Eric Williams,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.141(b)(2) from the Circuit Court for Miami-Dade County, Veronica A. Diaz, Judge.

Eric Williams, in proper person.

Pamela Jo Bondi, Attorney General, and Eric J. Eves, Assistant Attorney General, for appellee.

Before EMAS, LOGUE, and LINDSEY, JJ.

PER CURIAM.

The order under review denying relief under Florida Rule of Criminal Procedure 3.801 is reversed and remanded. Upon remand, if the trial court finds the motion is facially sufficient and timely, and that Defendant is entitled to relief, it shall grant the motion; if it finds the motion facially insufficient, it shall identify the defects and provide the Defendant an opportunity to amend; if the court finds the motion should be denied, it shall attach to the order those portions of the files and records that conclusively show the defendant is entitled to no relief, as required by Rule 3.801(e)(incorporating provisions of Rule 3.850 (e), (f), (j), (k), and (n)).

Reversed and remanded.