

Third District Court of Appeal

State of Florida, July Term A.D. 2011

Opinion filed October 5, 2011.
Not final until disposition of timely filed motion for rehearing.

No. 3D10-800
Lower Tribunal No. 06-14782

Welch Monestime,
Appellant,

vs.

The State of Florida,
Appellee.

An Appeal under Florida Rule of Appellate Procedure 9.140(b)(1)(D) from the Circuit Court for Miami-Dade County, John Thornton, Judge.

Welch Monestime, in proper person.

Pamela Jo Bondi, Attorney General, and Michael W. Mervine, Assistant Attorney General, for appellee.

Before RAMIREZ, ROTHENBERG, and LAGOA, JJ.,

PER CURIAM.

Welch Monestime appeals the denial of his Florida Rule of Criminal Procedure 3.850 motion alleging ineffective assistance of trial counsel. After an evidentiary hearing, the trial court based its ruling on a credibility determination in

favor of trial counsel. This Court will not substitute its judgment for that of the trial court on issues of credibility as long as the trial court's findings are supported by competent substantial evidence. See Gore v. State, 846 So. 2d 461, 468 (Fla. 2003). Because the trial court's findings here were supported by trial counsel's testimony, we affirm.

Affirmed.