

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM, 2001

DAVID WOODS,

**

Appellant,

**

vs.

CASE NO. 3D00-3321

**

THE STATE OF FLORIDA,

**

LOWER

**

TRIBUNAL NO. 95-22610

Appellee.

**

Opinion filed November 28, 2001.

An Appeal from a final order from the Circuit Court from
Dade County, Leslie B. Rothenberg, Judge.

Sale & Kuehne, Benedict P. Kuehne and Susan Dmitrovsky, for
appellant.

Robert A. Butterworth, Attorney General, and Jill K. Traina,
Assistant Attorney General, for appellee.

Before JORGENSEN, LEVY, and GODERICH, JJ.

PER CURIAM.

The defendant, David Woods, appeals from an order denying his motion for post-conviction relief after an evidentiary hearing. Although the defendant raises several issues, we find that the only one that has merit is the defendant's claim that the trial court improperly precluded him from presenting evidence regarding his allegation of ineffective assistance of trial counsel arising from an undisclosed conflict. Accordingly, we reverse for a limited evidentiary hearing on that issue.

Affirmed, in part; reversed, in part, and remanded for further proceedings consistent with this opinion.