

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, A.D. 2001

DERRICK GRANTLEY,	**	
Appellant,	**	
vs.	**	CASE NO. 3D01-1655
THE STATE OF FLORIDA,	**	LOWER
Appellee.	**	TRIBUNAL NOS. 98-5013
		98-
		3144

Opinion filed December 26, 2001.

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

Derrick Grantley, in proper person.

Robert A. Butterworth, Attorney General, and Consuelo Maingot (Ft. Lauderdale), Assistant Attorney General, for appellee.

Before GREEN, SHEVIN and RAMIREZ, JJ.

PER CURIAM.

We affirm the order denying defendant's post conviction relief motion without prejudice. Appellant shall be permitted to file an amended motion in the trial court within sixty days, fully setting forth the facts on which he relies. See

Mays v. State, 26 Fla. L. Weekly D2686 (Fla. 4th DCA Nov. 14, 2001).

Affirmed without prejudice.