

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. 2002

TYRONE WILLIAMS, a/k/a
TYRONE EDWARDS,

**

Appellant,

**

CASE NO. 3D01-3398

**

vs.

**

THE STATE OF FLORIDA,

**

LOWER TRIBUNAL

Appellee.

**

CASE NO[S]. F87-37836
F88-7148; F88-23321;
F87-36543

Opinion filed November 13,2002.

An Appeal under Fla.R.App.P. 9.141(b)(2) from the Circuit
Court of Miami-Dade County, Cecilia M. Altonaga, Judge.

Tyrone Williams a/k/a Tyrone Edwards, in proper person.

Richard E. Doran, Attorney General, and Steven R. Berger,
Assistant Attorney General, for appellee.

Before COPE, LEVY, and FLETCHER, JJ.

PER CURIAM.

We agree with the State that the trial court incorrectly

denied Tyrone Williams' motion to supplement his original Rule 3.850 motion as untimely. However, the trial court was correct to dismiss the motion to supplement insofar as it did not contain the required oath. We therefore affirm and remand to allow Tyrone Williams thirty days within which to file a properly sworn motion which addresses those specific issues originally set forth by the trial court in its June 12, 2001 order.¹

Cause remanded.

1

That order denied Williams' Rule 3.850 petition without prejudice to file a supplemental motion properly alleging prejudice and/or whether his trial counsel failed to identify and interview witnesses.