

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

ANGEL SANCHEZ,	**	
Appellant,	**	CASE NO. 3D02-431
vs.	**	LOWER
THE STATE OF FLORIDA,	**	TRIBUNAL NOS. 99-1461
Appellee.	**	99-812
		99-349

Opinion filed November 6, 2002.

An Appeal under Fla. R. App. P. 9.141(b)(2) from the Circuit Court for Dade County, Ronald C. Dresnick, Judge.

Angel Sanchez, in proper person.

Robert A. Butterworth, Attorney General, and Linda S. Katz, Assistant Attorney General, for appellee.

Before JORGENSON, COPE, and GODERICH, JJ.

PER CURIAM.

Defendant appeals from an order summarily denying his motion

for postconviction relief. We reverse and remand for an evidentiary hearing, as the record does not conclusively refute defendant's claim that when he entered his plea, he was not fully informed of how much time he would be required to serve. See Rensoli v. State, 718 So. 2d 1278 (Fla. 3d DCA 1998) (holding that where record does not conclusively refute the sworn claim of affirmative misadvice by counsel, remand for evidentiary hearing required.).

REVERSED AND REMANDED.