

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT

ANGEL E. SANCHEZ,

Appellant,

vs.

THE STATE OF FLORIDA,

Appellee.

JANUARY TERM, A.D. 2004

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CASE NO. 3D03-747

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LOWER TRIBUNAL  
CASE NOS. 99-349;  
99-812; 99-1461

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Opinion filed May 12, 2004.

An appeal from the Circuit Court of Miami-Dade County, Henry Leyte-Vidal, Judge.

Bennett H. Brummer, Public Defender, and Robert Godfrey, Assistant Public Defender, for appellant.

Charles J. Crist, Jr., Attorney General and Roberta G. Mandel, Assistant Attorney General, for appellee.

Before COPE, GODERICH, and FLETCHER, JJ.

PER CURIAM.

Angel E. Sanchez appeals from the trial court's denial of his motion for post-conviction relief pursuant to Florida Rule of Criminal Procedure 3.850, alleging that his plea was based on attorney mis-advice and Sanchez' failure to understand the consequences of his plea. After a review of the record of the evidentiary hearing on Sanchez' motion, we reverse and remand with directions to vacate the plea. The parties will then be placed in the position in which they stood prior to the plea agreement.

Reversed and remanded with directions.