

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JANUARY TERM, 2004

TEODORO VALDEZ,

\*\*

Appellant,

\*\*

vs.

\*\* CASE NO. 3D03-3145

THE STATE OF FLORIDA,

\*\* LOWER  
TRIBUNAL NO. 00-39138

Appellee.

\*\*

Opinion filed March 3, 2004.

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

Teodoro Valdez, in proper person.

Charles J. Crist, Jr., Attorney General, for appellee.

Before COPE, GODERICH, and FLETCHER, JJ.

PER CURIAM.

We reverse and remand for an evidentiary hearing. See  
Stevenson v. State, 688 So. 2d 962 (Fla. 5th DCA 1977).