Third District Court of Appeal

State of Florida

Opinion filed December 23, 2015
Not final until disposition of timely filed motion for rehearing.

No. 3D15-2446
Lower Tribunal No. 09-15874-C

Frantz Deus,
Appellant,

vs.

The State of Florida,
Appellee.

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

Frantz Deus, in proper person.

Pamela Jo Bondi, Attorney General, for appellee.

Before SUAREZ, C.J., and SALTER and LOGUE, JJ.

SUAREZ, C.J.

Defendant Frantz Deus appeals the denial of his Florida Procedure Rule 3.850 motion alleging ineffective assistance of counsel. We affirm that denial.

However, defendant also filed a Motion for Leave to Amend 3.850 Motion which the record reflects was received by the clerk of the court on the same day as the trial court's ruling on the original motion. Defendant also filed a Motion for Rehearing. Because the record is unclear as to whether the trial court considered the Motion to Amend and because the record before this Court does not contain a ruling on the Motion for Rehearing, we relinquish jurisdiction to the trial court for a period of twenty (20) days for purposes of ruling on those motions.