

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

RYAN DOYLE,

Appellant,

v.

Case No. 5D18-1378

STATE OF FLORIDA,

Appellee.

\_\_\_\_\_ /

Opinion filed July 6, 2018

3.850 Appeal from the Circuit  
Court for Orange County,  
John Marshall Kest, Judge.

Ryan Doyle, South Bay, pro se.

No Appearance for Appellee.

PER CURIAM.

Appellant seeks review of the trial court's denial of his rule 3.850 motion. We affirm as to Grounds One, Three, Four and Five. However, we reverse as to Ground Two because it was facially sufficient and the attached records do not conclusively refute Appellant's claim.

We remand for the postconviction court to reconsider Ground Two and either conduct an evidentiary hearing or attach records conclusively refuting Appellant's claim set forth in Ground Two.

AFFIRMED in part; REVERSED in part; and REMANDED.

TORPY, LAMBERT and EDWARDS, JJ., concur.