

Third District Court of Appeal

State of Florida, January Term, A.D. 2008

Opinion filed June 4, 2008.

Not final until disposition of timely filed motion for rehearing.

No. 3D08-981

Lower Tribunal No. 04-25858

George H. Stubbs,
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, Jacqueline Hogan Scola, Judge.

George H. Stubbs, in proper person.

Bill McCollum, Attorney General, for appellee.

Before RAMIREZ, SHEPHERD, and ROTHENBERG, JJ.

PER CURIAM.

George H. Stubbs appeals the denial of his Florida Rule of Criminal Procedure 3.850 motion for postconviction relief. We reverse, finding that the trial

court improperly denied the motion as successive without an attachment or reference that the court adjudicated the grounds previously raised on the merits.

See *Ranaldson v. State*, 672 So. 2d 564 (Fla. 1st DCA 1996).

Reversed and remanded for further proceedings.