

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

**NICKOLAS WHITE,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D13-0041

[ June 24, 2015 ]

Appeal of order denying rule 3.800 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Thomas M. Lynch, Judge; L.T. Case No. 95000066CF10B.

Carey Haughwout, Public Defender, and Paul E. Petillo, Assistant Public Defender, West Palm Beach, for appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, and Jeanine M. Germanowicz, Assistant Attorney General, West Palm Beach, for appellee.

PER CURIAM.

We reverse the trial court's order denying appellant's motion for postconviction relief and remand this matter for further proceedings consistent with *Falcon v. State*, 40 Fla. L. Weekly S151 (Fla. Mar. 19, 2015), and *Horsley v. State*, 160 So. 3d 393 (Fla. 2015).

WARNER, TAYLOR and CONNER, JJ., concur.

\* \* \*

***Not final until disposition of timely filed motion for rehearing.***