SUPREME COURT OF FLORIDA

IN RE: AMENDMENTS TO FLORIDA RULE OF CRIMINAL PROCEDURE **B** 3.800 Case No. SC06-1780

COMMENTS OF THE FLORIDA ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

The Florida Association of Criminal Defense Lawyers (AFACDL®) submits the following comments in support of the proposed amendment to Florida Rule of Criminal Procedure 3.800. The amendment requires that A[a]ll orders® denying rule 3.800(a) motions Ashall include a statement that the movant has the right to appeal within 30 days of rendition of the order.® FACDL agrees with the amendment and believes that the amendment will clarify any uncertainty regarding appellate deadlines (especially in light of the fact that the majority of rule 3.800(a) motions are filed *pro se*).

CERTIFICATE OF SERVICE

I HEREBY CERTIFY a true and correct copy of the foregoing instrument has

been furnished to:

William C. Vose Chair, The Florida Bar Criminal Procedure Rules Committee 1104 Bahama Drive Orlando, Florida 32806-1440

by U.S. mail delivery this <u>31st</u> day of October, 2006.

Respectfully submitted,

PAULA S. SAUNDERS
Co-Chair, FACDL Amicus Curiae Committee
Office of the Public Defender
Leon County Courthouse
301 South Monroe Street
Tallahassee, Florida 32301
(850) 488-2458/fax (850) 487-7964
FL Bar No. 308846

/s/ Michael Ufferman

MICHAEL UFFERMAN
Co-Chair, FACDL Amicus Curiae Committee
Michael Ufferman Law Firm, P.A.
2022-1 Raymond Diehl Road
Tallahassee, Florida 32308
(850) 386-2345/fax (850) 224-2340
FL Bar No. 114227

Amicus Counsel for **FACDL**