

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

JANUARY TERM 2011

BOBBY J. JONES,

Appellant,

v.

Case No. 5D10-4122

STATE OF FLORIDA,

Appellee.

Opinion filed February 18, 2011

3.850 Appeal from the Circuit Court
for Brevard County,
Robert Wohn, Jr., Judge.

Bobby J. Jones, Wewahitchka, pro se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Allison L. Morris,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

Bobby J. Jones appeals the summary denial of his motion for postconviction relief filed pursuant to Florida Rule of Criminal Procedure 3.850. We affirm in all respects save one. We conclude that Jones is entitled to an evidentiary hearing on his claim of ineffective assistance of counsel as it relates to the failure to call Val Baker to testify for the defense. In all other respects, the denial of Jones's postconviction motion is affirmed.

AFFIRMED in part; REVERSED in part; and REMANDED for an evidentiary hearing.

SAWAYA, ORFINGER and EVANDER, JJ., concur.