

**SIXTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA**

Case No. 6D2025-0233
Lower Tribunal No. 2017-CF-015661

PASCUAL JIMENEZ,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

Appeal from the Circuit Court for Orange County.
Amy J. Carter, Judge.

September 26, 2025

ON MOTION TO WITHDRAW

In this appeal from the denial of a motion for postconviction relief following an evidentiary hearing, appointed counsel has moved to withdraw on the basis of having found no issues of arguable merit on this appellate record. The filing of such a motion rather than the *Anders* briefing process is the proper procedure within appeals from the denial of postconviction motions. *See Hunter v. State*, 315 So. 3d 139 (Fla. 5th DCA 2021). Accordingly, the motion to withdraw is granted. Within ten days from the date of this order, counsel shall forward a copy of the record on

appeal to Appellant with certification of such to this Court. Appellant shall serve a pro se initial brief, including a certificate of service showing service on the Office of the Attorney General, within sixty days from the date of this order, failing which the appeal may be dismissed without further notice.

GRANTED.

STARGEL, NARDELLA and SMITH, JJ., concur.

Blair Allen, Public Defender, and A. Victoria Wiggins, Assistant Public Defender, Bartow, for Appellant.

Pascual Jimenez, Cross City, pro se.

No Appearance for Appellee.

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