

FIFTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA

Case No. 5D2023-3166
LT Case Nos. 2016-CF-016491-A
2016-CF-029694-A
2016-CF-018385-A
2017-CF-043326-A
2017-CF-034855-A

DAVID WAYNE WHITE,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

3.850 Appeal from the Circuit Court for Brevard County.
Samuel Bookhardt, III, Judge.

David Wayne White, Arcadia, pro se.

James Uthmeier, Attorney General, Tallahassee, and Rebecca
Rock McGuigan, Assistant Attorney General, Daytona Beach, for
Appellee.

July 31, 2026

WALLIS, J.

David White (Appellant) appeals the trial court's denial of his motion for postconviction relief pursuant to Florida Rule of Criminal Procedure 3.850 and motion to correct an illegal sentence under Florida Rule of Criminal Procedure 3.800 alleging five separate grounds for relief. We affirm on all five grounds but remand for the trial court to disclose the No Contact List that was referenced during Appellant's Sentencing Hearing yet never provided to the Appellant. We note that expecting the Appellant to comply with a no contact order as a condition of his probation without full knowledge of the contents of that same list creates a risk of inadvertent violations. *See Rowles v. State*, 682 So. 2d 1184, 1184–85 (Fla. 5th DCA 1996) (remanding an order of no contact for clarification when it was vague and broad to the point of risking inadvertent violations).

AFFIRMED in part; REMANDED to revise condition of probation.

BOATWRIGHT and KILBANE, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.
