

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D2023-1275

ALEXIS TOUCHTON-WILLIAMS,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

On appeal from the Circuit Court for Alachua County.
James M. Colaw, Judge.

February 5, 2025

PER CURIAM.

Alexis Touchton-Williams appeals the trial court's denial of her motion for postconviction relief under Florida Rule of Criminal Procedure 3.850. We affirm as to grounds two, six, eight, ten, twelve, fourteen, and fifteen without further comment. As to all remaining grounds, we reverse and remand for the circuit court to either hold an evidentiary hearing or attach the relevant portions of the record conclusively refuting these claims. The postconviction court erred in summarily denying these claims by failing to attach the relevant portions of the record to its order. While the trial court cited the record numerous times in its order, it listed no exhibits and failed to attach the portions of the record relevant to these claims. *See Fla. R. App. P. 9.141(b)(2)(D)* ("On appeal from the denial of relief, unless the record shows conclusively that the

appellant is entitled to no relief, the order shall be reversed and the cause remanded for an evidentiary hearing or other appropriate relief.”); *Peede v. State*, 748 So. 2d 253, 257 (Fla. 1999) (“To uphold the trial court’s summary denial of claims raised in a 3.850 motion, the claims must be either facially invalid or conclusively refuted by the record.”).

AFFIRMED in part, REVERSED in part, and REMANDED.

ROWE, WINOKUR, and NORDBY, JJ., concur.

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

Michael Ufferman of Michael Ufferman Law Firm, P.A., Tallahassee, for Appellant.

Daren L. Shippy, Assistant Attorney General, Tallahassee, for Appellee.