

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

JANUARY TERM 2002

ROBERT J. PAYNE,

Appellant,

v.

CASE NO. 5D02-594

STATE OF FLORIDA,

Appellee.

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Opinion filed April 5, 2002

3.800 Appeal from the Circuit Court  
for Seminole County,  
Alan A. Dickey, Judge.

Robert J. Payne, Wewahitchka, Pro Se.

No Appearance for Appellee.

PER CURIAM.

We treat this appeal as a petition for belated appeal of the denial of Payne's rule 3.800(a) Motion to Correct Illegal Sentence. On the merits, we affirm. See Priest v. State, 603 So. 2d 141 (Fla. 4th DCA 1992) (when probation is revoked, no credit is given for time spent on probation).

PETITION GRANTED; AFFIRMED.

COBB, PLEUS and ORFINGER, R. B., JJ., concur.