

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

JULY TERM 2002

SALEM LEFILS,

Appellant,

v.

CASE NO. 5D02-2839

STATE OF FLORIDA,

Appellee.

Opinion Filed October 18, 2002

3.800 Appeal from the Circuit Court
for Hernando County,
Richard Tombrink, Judge.

Salem Lefils, Indiantown, pro se.

No Appearance for Appellee.

PER CURIAM.

AFFIRMED.

COBB and GRIFFIN, JJ., concur.
SHARP, W., J., dissents, with opinion.

SHARP, W., J., dissenting.

I respectfully dissent. The defendant appeals the summary denial of his Rule 3.800(a) motion for additional jail time credit. Although defendant's motion (and amended motion) are far from clear, it appears the defendant is seeking jail time credit for time he spent on other separate charges.

When a defendant makes a prima facie claim for jail time credit, the trial court has the burden of attaching portions of the record to refute the claim. See Moore v. State, 741 So. 2d 577 (Fla. 5th DCA 1999). Accordingly, I would reverse and remand for attachment of portions of the record to refute the defendant's claim.