

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

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

THOMAS MACDONALD,

Appellant,

v.

Case No. 5D13-4487

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed March 14, 2014

3.800 Appeal from the Circuit Court
for Lake County,
Lawrence J. Semento, Judge.

Thomas MacDonald, Malone,
pro se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Douglas T. Squire,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

We affirm the trial court's order denying Thomas MacDonald's motion seeking additional jail credit filed under Florida Rule of Criminal Procedure 3.800(a). Our affirmance is without prejudice for MacDonald to file a motion complying with Florida Rule of Criminal Procedure 3.801. If MacDonald chooses to file a rule 3.801 motion, it must comply with the requirements outlined in rule 3.801(b), (c) and (e) as well as rule 3.850(n). Upon receipt of a rule 3.801 motion, the trial court must follow the procedure

outlined in rule 3.850(f). See Fla. R. Crim. P. 3.801(e) (effective July 1, 2013). MacDonald must file his motion on or before July 1, 2014. See Fla. R. Crim. P. 3.801(b) (effective December 5, 2013).

AFFIRMED WITHOUT PREJUDICE.

TORPY, C.J., ORFINGER and EVANDER, JJ., concur.