

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

HENRY E. MILLS,

Appellant,

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

v.

CASE NO. 1D05-1585

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed September 19, 2005.

An appeal from the Circuit Court for Leon County. Thomas H. Bateman, III, Judge.

Appellant Henry E. Mills, pro se.

Charlie Crist, Attorney General; Sheron Wells, Assistant Attorney General,
Tallahassee, for Appellee.

PER CURIAM.

We affirm the order denying the motion, but do so without prejudice to
appellant's refiling his jail credit claim in a facially sufficient rule 3.850 motion.

See Burchfield v. State, 907 So. 2d 614 (Fla. 1st DCA 2005).

AFFIRMED.

KAHN, C.J., WOLF and PADOVANO, concur.