

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

MATTHEW AARON
BONCKOWSKI,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D12-0956

Opinion filed August 14, 2012.

An appeal from the Circuit Court for Santa Rosa County.
David Rimmer, Judge.

Matthew Aaron Bonckowski, pro se, Appellant.

Pamela Jo Bondi, Attorney General, and Anne C. Conley, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

PADOVANO and ROBERTS, JJ., CONCUR; BENTON, C.J, CONCURS WITH
OPINION.

BENTON, C.J., concurring.

Mr. Bonckowski did not allege that any error in jail credit can be ascertained from the face of the record. He did not, therefore, present a facially sufficient jail credit claim pursuant to Florida Rule of Criminal Procedure 3.800(a). See Cabrera v. State, 62 So. 3d 1171, 1172 (Fla. 4th DCA 2011). A motion pursuant to Florida Rule of Criminal Procedure 3.850 would, however, presumably still be timely. See Dennis v. State, 9 So. 3d 761 (Fla. 1st DCA 2009).