

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2007

JUWAN T. EDWARD,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D07-3161

[October 17, 2007]

PER CURIAM.

The appellant seeks review of an order denying a motion to clarify sentence, claiming the Department of Corrections failed to properly calculate his gain time. He further claims the circuit court orally pronounced and entered a written sentence designating him as a habitual felony offender, but that his DOC classification lists him as a habitual violent felony offender. Any distinction between the legal sentence and the DOC records, if one exists, must be addressed through administrative procedures before seeking relief, pursuant to a writ of mandamus, in the circuit court. *See Killings v. State*, 567 So. 2d 60 (Fla. 4th DCA 1990). As such, the lower court's order denying relief is affirmed albeit for reasons other than those relied on by the trial court. Our affirmance is without prejudice to the appellant seeking administrative remedies with the DOC.

WARNER, TAYLOR and MAY, JJ., concur.

* * *

Appeal of order denying rule 3.800(a) motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; John J. Murphy, III, Judge; L.T. Case No. 05-12975 CF10A.

Juwan T. Edward, Immokalee, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.