

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2008*

**MOSES FLEMING,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D07-4395

[February 13, 2008]

PER CURIAM.

Moses Fleming appeals the denial of his motion to correct illegal sentence, which claims an entitlement to an additional 1,155 days of credit for time actually served in prison, which the trial court failed to award upon violation of probation. The lower court denied relief without any explanation as to why and without any record attachments refuting the allegations. *See generally Terry v. State*, 32 Fla. L. Weekly D2821 (Fla. 4th DCA Nov. 28, 2007); *Matyjasik v. State*, 32 Fla. L. Weekly D2686 (Fla. 4th DCA Nov. 14, 2007). We reverse and remand for further proceedings.

*Reversed.*

GROSS, TAYLOR and DAMOORGIAN, JJ., concur.

\* \* \*

Appeal of order denying rule 3.800(a) motion from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Edward A. Garrison, Judge; L.T. Case No. 2002CF014421AXX.

Moses Fleming, Milton, pro se.

Bill McCollum, Attorney General, Tallahassee, and Don M. Rogers, Assistant Attorney General, West Palm Beach, for appellee.

***Not final until disposition of timely filed motion for rehearing***