

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

CORNELIUS T. JOHNSON,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D07-4482

[March 5, 2008]

PER CURIAM.

Cornelius T. Johnson's motion to correct illegal sentence was denied as successive. We reverse and remand the matter for further proceedings in connection with Point I of the motion filed in July 2007. The records referenced do not demonstrate that this issue is successive. *Compare Romeo v. State*, 965 So. 2d 197 (Fla. 3d DCA 2007). On remand, the trial court may attach documents to show that the claim is successive, or consider the issue on the merits.

STEVENSON, TAYLOR and MAY, JJ., concur.

* * *

Appeal of orders denying rule 3.800(a) motions from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Michael G. Kaplan, Judge; L.T. Case No. 98-3492 CF10.

Cornelius T. Johnson, Raiford, pro se.

Bill McCollum, Attorney General, Tallahassee, and Melynda L. Melear, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.