

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

WOODROW D. PUGH,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D07-651

[April 25, 2007]

PER CURIAM.

Appellant, Woodrow Pugh, appeals a trial court order summarily denying his motion to correct illegal sentence filed pursuant to rule 3.800(a), Florida Rule of Criminal Procedure, in which he challenged his sentence as being misapplied by the Department of Corrections. The Department of Corrections applied Pugh's sentences consecutively, while the trial court ordered them to be applied concurrently. We affirm the order under review, without prejudice to Pugh's ability to file a petition for writ of mandamus in the Leon County circuit court¹ after he fully exhausts his administrative remedies. The record is silent as to whether Pugh has yet exhausted his administrative remedies. *King v. State*, 665 So. 2d 377 (Fla. 4th DCA 1996).

STEVENSON, C.J., STONE and HAZOURI, 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. 06-10324 CFA02.

Woodrow D. Pugh, Raiford, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing

¹ See *Bush v. State*, 945 So. 2d 1207, 1213-14 (Fla. 2006).