

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

**ALPHONSO SEWARD,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D08-2833

[September 10, 2008]

PER CURIAM.

We affirm the trial court's denial of appellant's Florida Rule of Criminal Procedure 3.800(a) motion to correct illegal sentence. Appellant's motion did not demonstrate that he did not qualify for sentencing as a violent career criminal (VCC) and did not identify how the record establishes he is entitled to relief. *See Bover v. State*, 797 So. 2d 1246 (Fla. 2001); *Jackson v. State*, 803 So. 2d 842, 844-45 (Fla. 1st DCA 2001).

The records identified by appellant demonstrate that he has sufficient prior convictions to qualify for sentencing under the VCC statute. § 775.084(1)(d)1, Fla. Stat. (1999). If appellant was not released from incarceration or supervision as a result of an enumerated felony within the requisite time frame, he must identify how court records demonstrate on their face an entitlement to relief. *Bover*, 797 So. 2d at 1248-49. *See* § 775.084(1)(d)3b, Fla. Stat. If he cannot, and an evidentiary hearing would be required to establish the date of his release, this claim may not be raised in a rule 3.800(a) motion.

POLEN, STEVENSON, and DAMOORGIAN, JJ., concur.

\* \* \*

Appeal of order denying rule 3.800(a) motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Ana Gardiner, Judge; L.T. Case No. 00-8213 CF10A.

Alphonso Seward, Immokalee, pro se.

No appearance required for appellee.

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