

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

JESSE RACENE,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D08-35

[May 7, 2008]

PER CURIAM.

The defendant appeals the summary denial of his Rule 3.800(a) motion to correct illegal sentence. He attempted to challenge the admission of a Department of Corrections affidavit to establish his release date as a predicate for Prison Releasee Reoffender sentencing. However, this is not an issue that can be raised by a Rule 3.800(a) motion. Rather, this issue should have been raised at sentencing, on direct appeal, or possibly by a Rule 3.850 ineffective assistance of counsel claim. The time for those remedies having now passed in this case, the defendant's claim is procedurally barred.

Affirmed.

WARNER, POLEN and TAYLOR, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Ilona M. Holmes, Judge; L.T. Case No. 02-11406 CF 10 A.

Jesse Racene, Century, Pro Se.

No appearance for appellee.

Not final until disposition of timely filed motion for rehearing