

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

JERMETRAS WATSON,

Appellant,

v.

Case No. 5D18-2610

STATE OF FLORIDA,

Appellee.

_____ /

Opinion filed December 28, 2018

3.800 Appeal from the Circuit
Court for Orange County,
John Marshall Kest, Judge.

Jermetras Watson, Lake Butler, pro se.

Pamela Jo Bondi, Attorney General,
Tallahassee, and Rebecca Roark Wall,
Assistant Attorney General, Daytona
Beach, for Appellee.

PER CURIAM.

We affirm, without further discussion, the postconviction court's order summarily denying Appellant's Florida Rule of Criminal Procedure 3.800(a) motion to correct illegal sentence. Appellant also raised several issues in his Initial Brief that were not presented below and thus were not preserved for review. *See Tillman v. State*, 471 So. 2d 32, 35 (Fla. 1985) ("In order to be preserved for further review by a higher court, an issue must

be presented to the lower court and the specific legal argument or ground to be argued on appeal or review must be part of that presentation if it is to be considered preserved.”).

Appellant is not precluded from filing a successive rule 3.800(a) motion to correct illegal sentence to raise issues discussed in his Initial Brief that were not argued in his present motion. *See State v. McBride*, 848 So. 2d 287, 290-91 (Fla. 2003) (holding that the phrase “at any time” in rule 3.800(a) allows defendants to file successive motions but that principles of collateral estoppel bar a defendant from raising in a successive motion to correct illegal sentence the same issue raised by the defendant in an earlier motion). We take no present position as to the merits, if any, of these potential claims.

AFFIRMED.

ORFINGER, EVANDER, and LAMBERT, JJ., concur.