

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

PAUL MALOY,  
  
Appellant,

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

v.

CASE NO. 1D04-3010

STATE OF FLORIDA,  
  
Appellee.

\_\_\_\_\_ /

Opinion filed November 30, 2004.

An appeal from the Circuit Court for Nassau County.  
Robert M. Foster, Judge.

Appellant, pro se.

Charlie Crist, Attorney General; Giselle Lylen Rivera, Assistant Attorney General,  
Tallahassee, for Appellee.

PER CURIAM.

The appellant challenges the trial court's summary denial of his motion to correct an illegal sentence filed pursuant to Florida Rule of Criminal Procedure 3.800(a). Because the motion states a facially sufficient claim that the appellant is entitled to additional jail credit and the trial court failed to either attach record portions that refute the appellant's claim to its order or to state that the record is silent

regarding jail credit, we reverse and remand for further proceedings. See Koester v. State, 864 So. 2d 1282 (Fla. 1st DCA 2004).

REVERSED and REMANDED.

ALLEN, DAVIS, and BENTON, JJ., CONCUR.