

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

JERMAINE A. HARRIS,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D10-2458

Opinion filed September 27, 2011.

An appeal from the Circuit Court for Duval County.
Mark H. Mahon, Judge.

Jermaine A. Harris, pro se Appellant. Nancy A. Daniels, Public Defender, and
Glen P. Gifford, Assistant Public Defender, Office of the Public Defender,
Tallahassee, for Appellant.

Pamela Jo Bondi, Attorney General, Tallahassee, for Appellee.

PER CURIAM.

Appellant challenges the lower court's order granting in part and denying in part his motion to correct illegal sentence. We affirm all but the first issue, and reverse and remand with directions to reinstate the 766 days of jail credit for time served on Counts IV and V that were improperly rescinded from defendant's initial

judgment and sentence. See Davis v. State, 63 So. 3d 847 (Fla. 1st DCA 2011); Session v. State, 37 So. 3d 873 (Fla. 1st DCA 2010); Palmer v. State, 22 So. 3d 795 (Fla. 1st DCA 2009); Canete v. Dep't of Corrs., 967 So. 2d 412 (Fla. 1st DCA 2007); Wheeler v. State, 880 So. 2d 1260 (Fla. 1st DCA 2004).

AFFIRMED IN PART, REVERSED IN PART and REMANDED.

DAVIS, PADOVANO, and ROWE, JJ., CONCUR.