

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

JOHN V. CLARK, III,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D13-1059

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Opinion filed May 30, 2013.

An appeal from the Circuit Court for Duval County.  
Mallory D. Cooper, Judge.

John Clark, III, pro se, Appellant.

Pamela Jo Bondi, Attorney General, and Virginia Harris, Assistant Attorney  
General, Tallahassee, for Appellee.

PER CURIAM.

The appellant challenges the denial of his motion to correct illegal sentence filed pursuant to Florida Rule of Criminal Procedure 3.800(a), in which he alleges that the trial court orally pronounced a twenty-year sentence for his robbery conviction, but the written judgment incorrectly states the sentence is twenty-five years' imprisonment. See Ashley v. State, 850 So. 2d 1265 (Fla. 2003) (holding

that oral pronouncement of sentence controls over written documents). The record does not include any attachments demonstrating that the appellant's claim is meritless. Accordingly, we reverse and remand for the trial court to either grant relief or attach portions of the record conclusively refuting the claim.

LEWIS, ROBERTS, and ROWE, JJ., CONCUR.