

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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No. 1D18-4870

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STEVEN BAXTER,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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On appeal from the Circuit Court for Leon County.  
Robert E. Long, Judge.

December 19, 2019

PER CURIAM.

Steven Baxter seeks a determination as to his jail credit. We affirm the trial court's order, which held that Baxter is entitled to additional credits, but note that when a trial court has awarded a defendant jail credit, "the Department of Corrections has primary responsibility for calculating the credit." *Hardenbrook v. State*, 953 So. 2d 717, 719 (Fla. 1st DCA 2007). If the Department of Corrections fails in its responsibility, "the prisoner must first seek relief from the Department." *Id*; see also *Rood v. State*, 790 So. 2d 1192 (Fla. 1st DCA 2001) (to remedy error regarding the application of credit to his sentence, "appellant must exhaust available administrative remedies.").

AFFIRMED.

WOLF, MAKAR, and BILBREY, JJ., concur.

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***Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.***

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Steven Baxter, pro se, Appellant.

Ashley Moody, Attorney General, and Bryan Jordan, Assistant Attorney General, Tallahassee, for Appellee.