

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2014

HENRY PAUL,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D14-647

[September 3, 2014]

Appeal of order denying rule 3.800 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Barbara McCarthy, Judge; L.T. Case Nos. 10-14696CF10B and 11-4431CF10A.

Henry Paul, Wewahitchka, pro se.

Pamela Jo Bondi, Attorney General, Tallahassee, and Angela E. Noble, West Palm Beach, for appellee.

PER CURIAM.

We affirm the trial court's order denying appellant's rule 3.800(a) motion to correct illegal sentence. Appellant claims that he received consecutive youthful offender sentences which exceed the six-year statutory cap and which are illegal under *Allen v. State*, 526 So. 2d 69 (Fla. 1988). He also claims that his written sentence is inconsistent with the court's oral pronouncement in some unspecified way. We conclude that "review of the record establishes that the defendant did not satisfy the burden of showing entitlement to relief on the face of the record." *Johnson v. State*, 60 So. 3d 1045, 1051 n.2 (Fla. 2011); *see also Williams v. State*, 957 So. 2d 600, 604 (Fla. 2007) (holding that the movant has the burden of demonstrating an entitlement to relief in a rule 3.800(a) proceeding).

Affirmance is without prejudice for appellant to file a sworn and sufficient rule 3.850 motion within the time remaining under the rule or to file a rule 3.800(a) motion that demonstrates an entitlement to relief from the face of the record.

WARNER, MAY and FORST, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.