

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2006*

**KIMBERLY LALONDE,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D06-3229

[November 15, 2006]

PER CURIAM.

The appellant, Kimberly LaLonde, appeals the trial court's order denying her rule 3.800(a) motion to correct illegal sentence, alleging that she has not received the appropriate credit for time served. We affirm in part and reverse in part. Appellant alleges that she was required, as a condition of community control, to enter into a drug and alcohol treatment facility. Appellant is entitled to credit for time spent in jail awaiting placement into a drug treatment facility imposed as a condition of probation or community control. *Barnishin v. State*, 927 So.2d 68, 71 (Fla. 1st DCA 2006), *rev. dismissed*, Table No. SC06-998 (Fla. Sept. 12, 2006); *Scott v. State*, 805 So.2d 926, 927 (Fla. 2d DCA 2001). Accordingly, we reverse the trial court's order and remand for the trial court to grant the appellant credit for the time spent in jail while waiting for placement into the drug treatment facility.

POLEN, FARMER and MAY, JJ., concur.

\* \* \*

Appeal of order denying rule 3.800(a) motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; John J. Murphy, III, Judge; L.T. Case Nos. 04-3487 CF10A & 04-13653 CF10A.

Kimberly LaLonde, Fort Lauderdale, pro se.

Charles J. Crist, Jr., Attorney General, Tallahassee, and Katherine Y.

McIntire, Assistant Attorney General, West Palm Beach, for appellee.

***Not final until disposition of timely filed motion for rehearing.***