

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2008

SATNAM SINGH,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D07-3650

[December 3, 2008]

PER CURIAM.

Appellant seeks review of the circuit court's summary denial of his seven-ground motion pursuant to rule 3.850, Florida Rules of Criminal Procedure. We affirm the circuit court's decision with exception to ground seven, which is affirmed without prejudice. The burden is upon the Department of Corrections to determine jail time credit for time spent incarcerated between sentencing and being placed in the custody of the department. § 921.161, Fla. Stat. (2007). As such, this affirmance is without prejudice to appellant's seeking post-sentencing jail credit, administratively, from the Department of Corrections. *See Hastings v. State*, 899 So. 2d 458 (Fla. 4th DCA 2005).

POLEN, KLEIN and STEVENSON, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Nineteenth Judicial Circuit, St. Lucie County; Burton C. Conner, Judge; L.T. Case No. 562002CF002401A.

Satnam Singh, Swanton, Vermont, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.