

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2007

ANTONIO JACKSON,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D07-4473

[December 31, 2007]

PER CURIAM.

Appellant here sought redress through a motion pursuant to Florida Rule of Criminal Procedure 3.800. The motion requested a correction of jail time credit and gain time for a period spent in Broward County Jail awaiting a hearing on a separate, pending motion under Florida Rule of Criminal Procedure 3.850 for postconviction relief.

A motion to correct an illegal sentence is not the proper vehicle through which to challenge denial of credit for time served after sentencing. *Moreland v. State*, 700 So. 2d 800 (Fla. 4th DCA 1997). Rather the Appellant must seek administrative remedies with the Department of Corrections to receive requested credit. *Id.* at 801. After exhausting such remedies, the Appellant may file a petition for writ of mandamus against the Department. *Id.* Therefore, we affirm without prejudice the denial of the requested credit for time served and gain time spent in Broward County Jail after sentencing.

GUNTHER, WARNER and MAY, JJ., concur.

* * *

Appeal of order denying rule 3.800(a) motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Michael L. Gates, Judge; L.T. Case No. 04-17419 CF10A.

Antonio Jackson, Immokalee, pro se.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing