

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2012

VICTORIA ROMAN,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D11-1034

[August 8, 2012]

PER CURIAM.

In the order denying Roman's motion for post-conviction relief, the trial court fully adopted the state's written response to Roman's motion. However, in the state's written response, the state conceded that Roman was entitled to ninety-seven days' jail credit. The trial court did not grant the jail credit or explain why the state's concession of error was incorrect. Therefore, we reverse the trial court's order and remand for further proceedings. We affirm all other aspects of the order.

Reversed in part and affirmed in part.

HAZOURI, DAMOORGIAN and CIKLIN, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Sandra Perlman, Judge; L.T. Case Nos. 08-17715 CF10A and 07-3193 CF10A.

Michael D. Gelety, Fort Lauderdale, for appellant.

No appearance required for appellee.

Not final until disposition of timely filed motion for rehearing.