

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

FRANK J. GARARD,
Appellant,

v.

STATE OF FLORIDA,
Appellee.

No. 4D11-2212

[November 14, 2012]

PER CURIAM.

Frank J. Garard appeals an order denying his motion filed under Florida Rule of Criminal Procedure 3.850. Garard's motion contained four points. We affirm points two, three and four, and remand for further review of Garard's first point concerning jail credit associated with his violation of community control. *See Davis v. State*, 88 So. 3d 1055 (Fla. 4th DCA 2012).

MAY, C.J., STEVENSON and GROSS, JJ., concur.

* * *

Appeal of order denying rule 3.850 motion from the Circuit Court for the Nineteenth Judicial Circuit, Martin County; William L. Roby, Judge; L.T. Case No. 431999CF001468A.

Frank J. Garard, South Bay, pro se.

Pamela Jo Bondi, Attorney General, Tallahassee, and Mark J. Hamel, Assistant Attorney General, West Palm Beach, for appellee.

Not final until disposition of timely filed motion for rehearing.