

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

**SAMUEL L. FELDER,**  
Appellant,

v.

**STATE OF FLORIDA,**  
Appellee.

No. 4D11-2219

[December 12, 2012]

PER CURIAM.

Samuel L. Felder appeals the denial of his Florida Rule of Criminal Procedure 3.800(a) motion. We reverse and remand on one claim and affirm the denial of the remaining claims. Felder alleges that the trial court improperly sentenced him on his conviction for false imprisonment as a Prison Releasee Reoffender (PRR) under section 775.082(9)(a)1, Florida Statutes (2007).<sup>1</sup> Because the offense of false imprisonment is not subject to PRR sentencing, we remand for the trial court to strike that designation. *Kalogeras v. State*, 58 So. 3d 889 (Fla. 5th DCA 2011); *Davis v. State*, 20 So. 3d 1024 (Fla. 4th DCA 2009); *Lamb v. State*, 32 So. 3d 117 (Fla. 2d DCA 2009); *Sinclair v. State*, 973 So. 2d 665, 665 (Fla. 3d DCA 2008).<sup>2</sup>

*Reversed and Remanded.*

POLEN, HAZOURI and CONNER, JJ., concur.

\* \* \*

Appeal of order denying rule 3.800 motion from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Martin J. Bidwill, Judge; L.T. Case No. 08-1299 CF10A.

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<sup>1</sup> This claim concerns LT Case No. 08-3762.

<sup>2</sup> We note that the State acknowledged the error in its response in the trial court.

Samuel L. Felder, Orlando, pro se.

Pamela Jo Bondi, 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.***