



In summarily denying the motion, the postconviction court found that it lacked jurisdiction to modify Mr. Wilson's sentence pursuant to Florida Rule of Criminal Procedure 3.800(c) and that his motion was premature because he has not yet begun the probationary period of his sentence. However, Mr. Wilson did not file his motion pursuant to rule 3.800(c). He instead filed his motion pursuant to section 948.03(2), Florida Statutes (2017), which states that "[t]he court may rescind or modify at any time the terms and conditions theretofore imposed by it upon the probationer." (Emphasis added.) By concluding that it did not have the discretion to modify Mr. Wilson's probation, the trial court departed from the essential requirements of law. Accordingly, we grant the petition for writ of certiorari and quash the order denying modification of probation. We express no opinion as to the merits of Mr. Wilson's modification of probation request.

Petition granted; order denying modification of probation quashed.

KELLY and LUCAS, JJ., Concur.