

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING  
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

THURLOW F. WILKINS, )  
 )  
 Appellant, )  
 )  
 v. )  
 )  
 STATE OF FLORIDA, )  
 )  
 Appellee. )  
 \_\_\_\_\_ )

Case No. 2D06-1584

Opinion filed July 14, 2006.

Appeal pursuant to Fla. R. App. P.  
9.141(b)(2) from the Circuit Court for  
Highlands County; Peter F. Estrada,  
Judge.

ALTENBERND, Judge.

Thurlow F. Wilkins appeals the trial court's order that granted him only one additional day of jail credit on his motion filed pursuant to Florida Rule of Criminal Procedure 3.800(a). Mr. Wilkins maintains that he is entitled to additional credit of approximately 220 days. We affirm.

Rule 3.800(a) expressly states that a motion may seek additional jail credit only when "it is affirmatively alleged that the court records demonstrate on their face an

entitlement to that relief." Mr. Wilkins' motion does not contain this allegation, and it is obvious from his claim that the matter could not be resolved on the face of the records in this case. If he wishes to establish a claim for jail credit based on matters in other court files or in the possession of various sheriffs, he must make a proper, timely request under oath pursuant to Florida Rule of Criminal Procedure 3.850.

Affirmed.

CASANUEVA and WALLACE, JJ., Concur.