

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JOHNNY J. HARRISON,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

CASE NO. 2D01-2572

Opinion filed October 31, 2001.

Appeal pursuant to Fla. R. App. P.
9.141(b)(2) from the Circuit Court
for Hillsborough County;
Jack Espinosa, Jr., Judge.

PER CURIAM.

Johnny J. Harrison appeals the summary denial of his motion to correct illegal sentence filed pursuant to Florida Rule of Criminal Procedure 3.800(a). We affirm his first claim without comment. See Johnson v. State, 763 So. 2d 283 (Fla. 2000). Regarding Harrison's claim that his sentence is illegal because his plea form does not indicate he agreed to be sentenced as a habitual felony offender, we affirm without

prejudice to his right to file a timely and facially sufficient motion pursuant to rule 3.850, if he is able to do so.

BLUE, C.J., and DAVIS and SILBERMAN, JJ., Concur.