

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

DERRICK BORUM,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

CASE NO. 2D02-829

Opinion filed May 10, 2002.

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

PER CURIAM.

Derrek Borum appeals the summary denial of his Florida Rule of Criminal Procedure 3.800(a) motion. Although the trial court incorrectly denied the motion as successive, we affirm the denial because Borum did not attach a copy of the detainer to his motion. Borum may file another rule 3.800(a) motion with a copy of his detainer attached, and it shall not be considered successive by the trial court.

GREEN, DAVIS, and SILBERMAN, JJ., Concur.

