

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

DONALD W. ADAMS,)
)
 Appellant,)
)
 v.)
)
 STATE OF FLORIDA,)
)
 Appellee.)
 _____)

Case No. 2D04-1819

Opinion filed October 15, 2004.

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

PER CURIAM.

Donald W. Adams appeals the summary denial of his motion to correct illegal sentence filed pursuant to Florida Rule of Criminal Procedure 3.800(a). We affirm the denial of the issues raised by Adams without discussion. Although we requested supplemental briefing regarding a potential issue relating to the charging document, we conclude that any such issue must first be addressed by the trial court. Therefore, we affirm without prejudice to any right Adams may have to file a timely,

legally sufficient postconviction motion in the trial court. See Whitehead v. State, 29 Fla. L. Weekly D1651 (Fla. 2d DCA July 16, 2004).

Affirmed.

CASANUEVA, SILBERMAN, and VILLANTI, JJ., Concur.