

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

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
THIRD DISTRICT  
JULY TERM, A.D. 2001

LAWRENCE G. WEED,

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Appellant,

\*\*

vs.

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CASE NO. 3D01-2611

THE STATE OF FLORIDA,

\*\*

LOWER

Appellee.

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TRIBUNAL NO. 01-25479

Opinion filed December 26, 2001.

An Appeal from the Circuit Court for Miami-Dade County, David C. Miller, Judge.

Lawrence G. Weed, in proper person.

Robert A. Butterworth, Attorney General, and Gary K. Milligan (Ft. Lauderdale), Assistant Attorney General, for appellee.

Before GREEN, SHEVIN and RAMIREZ, JJ.

PER CURIAM.

We reverse the order denying defendant's habeas corpus petition without prejudice, and remand with instructions that the trial court transfer the petition to the circuit court that allegedly awarded improper credit for time served. See Pettway v. State, 776 So. 2d 930 (Fla. 2000); Gillard v. Florida Parole Comm., 784 So. 2d 1214 (Fla. 1st DCA 2001).

Reversed and remanded.