

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, 2003

RON HOWARD,

\*\*

Appellant,

\*\*

vs.

\*\* CASE NO. 3D03-686

THE STATE OF FLORIDA,

\*\* LOWER

TRIBUNAL NO. 93-42054

Appellee.

\*\*

Opinion filed September 17, 2003.

An Appeal under Fla. R. App. P. 9.141(b)(2) from the Circuit  
Court for Miami-Dade County, Ellen L. Leesfield, Judge.

Bennett H. Brummer, Public Defender, and Robert Godfrey,  
Assistant Public Defender, for appellant.

Charles J. Crist, Jr., Attorney General, for appellee.

Before SCHWARTZ, C.J., and LEVY and GODERICH, JJ.

PER CURIAM.

The defendant, Ron Howard, filed a motion pursuant to

section 3.800(b) to correct his sentence. On February 27, 2003, the trial court entered a corrected sentencing order. However, as the defendant correctly argues, the corrected order failed to grant the defendant any jail and prison credit. Therefore, this cause is remanded for entry of a sentencing order crediting the defendant with the 276 days spent in jail and for the time spent in prison. See Ryan v. State, 837 So. 2d 1075 (Fla. 3d DCA 2003); Baker v. State, 756 So. 2d 1091 (Fla. 3d DCA 2000). Finally, as to Count II, the judgment of conviction references section 775.087. However, a review of the jury's verdict indicates that the jury did not find that the defendant either carried, displayed, or used a firearm or weapon during the burglary. As such, this cause is also remanded for the purpose of deleting the reference to section 775.087 in the judgment of conviction.

Remanded.