

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JANUARY TERM A.D., 2004

KEVIN A. FRANKLIN,
Appellant,

vs.

THE STATE OF FLORIDA,
Appellee.

**

**

** CASE NO. 3D04-914

**

** LOWER
TRIBUNAL NO. F96-21270
F96-23289
F96-28737
F97-31732

Opinion filed June 9, 2004.

An Appeal under Florida Rule of Appellate Procedure
9.141(b) (2) from the Circuit Court for Miami-Dade County, Daryl
E. Trawick, Judge.

Kevin A. Franklin, in proper person.

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

Before COPE, FLETCHER and RAMIREZ, JJ.

PER CURIAM.

Kevin A. Franklin appeals an order denying his motion to
correct sentencing error in which he requests additional credit
for time served.

In its trial court response, the State conceded that defendant Franklin was entitled to varying amounts of additional credit for time served on each of his four circuit court cases. Inconsistently, the State requested that the motion be denied, and the trial court did so.

As the State's response acknowledges that the defendant is, in fact, entitled to additional credit for time served, we reverse the order now before us and remand for further proceedings on the defendant's motion.

Reversed and remanded.