

IN THE CIRCUIT COURT OF THE _____ JUDICIAL CIRCUIT
IN AND FOR _____ COUNTY, FLORIDA

STATE OF FLORIDA,
Plaintiff,

vs.

CASE NO.: _____

_____,
Defendant.
_____ /

MOTION TO CORRECT JAIL TIME CREDIT

COMES NOW the Defendant, _____, and respectfully
moves this Honorable Court to correct Jail-Time award pursuant to Fla.R.Crim.P.
3.801 and §921.161 (1), Fla. Statutes.

In support thereof, the Defendant does state:

1. The Defendant was originally arrested on the _____ day of _____,
20____ in the above-captioned case and remained in custody continuously until his
sentencing.

2. The Defendant was sentenced on _____ to a term of
_____ years in the Florida Department of Corrections.

3. The Defendant was awarded _____ days of time served in the
county jail prior to sentence imposition.

4. The jail time award is incorrect, and should be corrected to reflect _____ days time served.

5. There were no other criminal charges pending at the time of the incarceration set forth above, or;

There were other criminal charges pending at the time of the incarceration as follows:

Case no.	County	Charges
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6. The Defendant did not waive any county jail credit at the time of sentencing, or;

The Defendant did waive county jail credit as follows:

7. The Court records clearly demonstrate on their face an entitlement of relief, to wit: the certificate of jail credit, ____ arrest report, _____ sentencing documents, _____ other _____.

8. The absence of proper jail credit does render a sentence illegal and can be corrected at any time, State v. Mancino, 714 So.2d 429 (Fla. 1998).

9. The Defendant certifies that this motion is filed in good faith, with a reasonable belief that the claim set forth herein is timely, has potential merit, and does not duplicate previous motions that have been disposed of by the Court.

WHEREFORE, the Defendant respectfully moves this Honorable Court to correct the jail time credit as set forth herein and certify said correction to the Office of Sentencing Structure, Florida Department of Corrections, 501 S. Calhoun Street, Tallahassee, FL 32399-2500.

Respectfully submitted ,

Defendant, Pro se

OATH

Under the penalties of perjury, I declare and certify that I do understand English and that I have read the foregoing document and that the facts stated in it are true and correct.

Defendant, Pro Se

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing document has been furnished to the Office of the State Attorney at: _____

by handing said document to a prison official, for mailing by pre-paid first class

U.S. mail on this ____ day of _____, 20____.

Defendant, Pro Se

DC# _____
