

Third District Court of Appeal

State of Florida, January Term, A.D., 2010

Opinion filed January 20, 2010.
Not final until disposition of timely filed motion for rehearing.

No. 3D09-2892
Lower Tribunal No. 06-38983

Christopher West,
Appellant,

vs.

The State of Florida,
Appellee.

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

Christopher West, in proper person.

Bill McCollum, Attorney General, for appellee.

Before SHEPHERD, SUAREZ, and LAGOA, JJ.

PER CURIAM.

Christopher West (“West”) appeals from the trial court’s order denying his motion to correct illegal sentence filed pursuant to Florida Rule of Criminal

Procedure 3.800(a). West seeks additional credit for time served as a result of two hundred forty-five (245) days under house arrest. Because West is not entitled to credit for time spent under house arrest – only for time spent in prison, we affirm the trial court’s order. See Perez v. State, 870 So. 2d 865 (Fla. 3d DCA 2004); Fernandez v. State, 627 So. 2d 1 (Fla. 3d DCA 1993).

Affirmed.