

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., 2005

PAUL EMILE ELMA,

Appellant,

vs.

THE STATE OF FLORIDA,

Appellee.

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\*\* CASE NO. 3D04-2597

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\*\* LOWER

TRIBUNAL NO. 00-41144

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Opinion filed March 9, 2005.

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

Paul Emile Elma, in proper person.

Charles J. Crist, Jr., Attorney General, and Michael E.  
Hantman, Assistant Attorney General, for appellee.

Before GREEN, RAMIREZ, and WELLS, JJ.

PER CURIAM.

Paul Emile Elma appeals the summary denial of his motion  
for post-conviction relief filed pursuant to Florida Rule of  
Criminal Procedure 3.800(a). Because the trial court did not

attach documentation conclusively refuting the defendant's allegations, we remand this case to the trial court with directions to issue an amended order explaining why the original order was "without prejudice," attach documentation that refutes the defendant's claim, or provide the defendant with the twenty-four (24) additional days credit for time served in case no. 00-41144. See Davis v. State, 869 So. 2d 766 (Fla. 1st DCA 2004); Wallen v. State, 860 So. 2d 1054 (Fla. 5th DCA 2003); Bohler v. State, 747 So. 2d 1070 (Fla. 3d DCA 2000).