

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT JANUARY TERM 2009

TIMOTHY COMBS,

Appellant,

v.

Case No. 5D08-4407

STATE OF FLORIDA,

Appellee.

Opinion filed April 24, 2009

3.800 Appeal from the Circuit Court
for Brevard County,
John M. Harris, Judge.

Timothy A. Combs, Cocoa, Pro Se.

No Appearance for Appellee.

PER CURIAM.

AFFIRMED. See Smith v. State, 932 So. 2d 594, 595 (Fla. 5th DCA 2006) (holding it is function of Department of Corrections to award credit for any time served in jail after sentencing, but before transfer to state prison) (emphasis added).

PALMER, C.J., ORFINGER and MONACO, JJ., concur.