

IN THE DISTRICT COURT OF APPEAL  
FIRST DISTRICT, STATE OF FLORIDA

MONTAVIOUS D. JOHNSON,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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NOT FINAL UNTIL TIME EXPIRES  
TO FILE REHEARING MOTION AND  
DISPOSITION THEREOF IF FILED.

CASE NO. 1D05-0485

Opinion filed July 11, 2005.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Montavious D. Johnson, pro se, petitioner.

Charlie Crist, Attorney General, and Felicia A. Wilcox, Assistant Attorney General,  
Tallahassee, for respondent.

PER CURIAM.

The petition is granted and Montavious D. Johnson is hereby afforded a belated appeal from the order of the Circuit Court for Nassau County which denied postconviction relief in case number 97-447-CF. Upon issuance of mandate in this cause, a copy of this opinion will be provided to the clerk of the circuit court and shall be treated as a notice of appeal. See Fla. R. App. P. 9.141(c)(5)(D).

PETITION GRANTED.

ALLEN, WOLF and BENTON, JJ., concur.