

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

DARRELL SMITH,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D05-2168

Opinion filed September 8, 2005.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Barbara Hobbs, Tallahassee, for petitioner.

Charlie Crist, Attorney General, and Giselle Lylen Rivera, Assistant Attorney General,
Tallahassee, for respondent.

PER CURIAM.

The petition is granted and Darrell Smith is hereby afforded a belated appeal from judgment and sentence in Leon County Circuit Court case number 2002-CF-1954. Upon issuance of mandate in this cause, a copy of the opinion will be provided to the clerk of the circuit court, who shall treat it as a notice of appeal. Fla. R. App. P. 9.141(c)(5)(D).

PETITION GRANTED.

DAVIS, BENTON and VAN NORTWICK, JJ., concur.