

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

PAUL BRANCH,

Petitioner,

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

v.

CASE NO. 1D05-5977

STATE OF FLORIDA,

Respondent.

_____ /

Opinion filed August 22, 2006.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Paul Branch, pro se, Petitioner.

Charlie Crist, Attorney General, and Robert R. Wheeler, Assistant Attorney General,
Tallahassee, for Respondent.

PER CURIAM.

The petition is granted and Paul Branch is hereby afforded a belated appeal
from an October 2004 judgment and sentence in case number 04-77-CF in the Circuit

Court in and for Jefferson County. Upon issuance of mandate in this cause, a copy of this 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). The circuit court is directed to appoint counsel for the appeal at public expense if Mr. Branch qualifies for such an appointment.

PETITION GRANTED.

BENTON, PADOVANO, and LEWIS, JJ., CONCUR.