

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

JOSÉ P. MARTINEZ,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D06-1753

Opinion filed July 18, 2006.

Petition for Belated Appeal -- Original Jurisdiction.

José P. Martinez, pro se, Petitioner.

Charlie Crist, Attorney General, and Tracy Lee Cooper, Assistant Attorney General,
Tallahassee, for Respondent.

PER CURIAM.

The petition is granted and petitioner shall be allowed a belated appeal from the
February 1, 2006, order denying motion to withdraw plea in Alachua County Circuit

Court case numbers 01-2004-CF-1164-A and 01-2004-CF-2429-A. Upon issuance of mandate in this cause, a copy of this opinion shall be provided to the clerk of the circuit court for treatment as the notice of appeal. Fla. R. App. P. 9.141(c)(5)(D).

ERVIN, BENTON, and BROWNING, JJ., CONCUR.