

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

ERNIE W. DEEL,

Petitioner,

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

v.

CASE NO. 1D06-2601

STATE OF FLORIDA,

Respondent.

_____ /

Opinion filed September 25, 2006.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Ernie W. Deel, pro se, Petitioner.

Charlie Crist, Attorney General, and Christine Ann Guard, Assistant Attorney
General, Tallahassee, for Respondent.

PER CURIAM.

Upon consideration of the state's response thereto, the petition seeking a belated appeal of the February 6, 2006, order denying petitioner's motion for postconviction relief in Duval County Circuit Court case number 16-1998-CF-15874-AXXX-MA, is granted. Upon issuance of mandate, a copy of this opinion shall be provided to the clerk of the circuit court for treatment as a notice of appeal. See Fla. R. App. P. 9.141(c)(5)(D).

KAHN, C.J., BENTON, and LEWIS, JJ., CONCUR.