

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

ELWOOD STALEY,

Petitioner,

v.

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

CASE NO. 1D08-1863

STATE OF FLORIDA,

Respondent.

Opinion filed October 27, 2009.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Elwood Staley, pro se, Petitioner.

Bill McCollum, Attorney General, Tallahassee, for Respondent.

PER CURIAM.

The petition seeking belated appeal of the judgment and sentence rendered on October 11, 2007, in Washington County Circuit Court case number 06-0221CFMA, is granted. Upon issuance of mandate, a copy of this opinion shall be furnished to the clerk of the lower tribunal for treatment as a notice of appeal. See Fla. R. App. P. 9.141(c)(5)(D). If petitioner qualifies for the appointment of counsel at public expense, the trial court shall appoint counsel to represent petitioner on appeal.

KAHN, BENTON, and CLARK, JJ., CONCUR.