

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

SAMUEL E. JOHNSON,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D08-6019

Opinion filed December 8, 2009.

Petition Alleging Ineffective Assistance of Appellate Counsel -- Original
Jurisdiction.

Nancy A. Daniels, Public Defender, and Tiffany M. Jones, Assistant Public
Defender, Tallahassee; Samuel E. Johnson, pro se, for Petitioner.

Bill McCollum, Attorney General, and Trisha Meggs Pate, Assistant Attorney
General, Tallahassee, for Respondent.

PER CURIAM.

The petition alleging ineffective assistance of counsel is granted. Johnson v.
State, case number 1D08-0594 is hereby reinstated. The Public Defender, Second

Judicial Circuit, is reappointed to represent petitioner in that proceeding. The date of issuance of mandate in this cause shall serve as commencement of the appeal for determining the times for preparation of the record and filing of the briefs in accordance with the Florida Rules of Appellate Procedure in case number 1D08-0594.

PETITION GRANTED.

WOLF, KAHN, and ROBERTS, JJ., CONCUR.