

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

MORGAN SMITH,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D09-4264

Opinion filed December 31, 2009.

Petition for Writ of Mandamus -- Original Jurisdiction.

Morgan Smith, pro se, Petitioner.

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

PER CURIAM.

The petition for writ of mandamus is granted. The Circuit Court in and for
Hamilton County is directed to issue an order on the motion to correct illegal
sentence now pending in its case number 02-112-CF. The circuit court's order
shall be rendered within 30 days of issuance of mandate in this cause.

PETITION GRANTED.

BARFIELD, WOLF, and LEWIS, JJ., CONCUR.