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

KEITH DION JACKSON,

Petitioner,

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

v.

CASE NO. 1D09-5469

STATE OF FLORIDA,

Respondent.

Opinion filed December 31, 2009.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Matt Shirk, Public Defender, Fourth Judicial Circuit, and Richard B. Gordon, Assistant Public Defender, Jacksonville, for Petitioner.

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

PER CURIAM.

The petition seeking a belated appeal of the judgment and sentence rendered August 17, 2009, in Duval County Circuit Court case number 16-2009-CF-005093-AXXX-MA, is granted. Upon issuance of mandate, a copy of this opinion shall be provided to the clerk of the circuit court, who shall treat it as a notice of appeal. See Fla. R. App. P. 9.141(c)(5)(D).

WEBSTER, DAVIS, and PADOVANO, JJ., CONCUR.