

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

KYLE BRUNSON,

Petitioner,

v.

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

CASE NO. 1D10-6423

STATE OF FLORIDA,

Respondent.

Opinion filed May 27, 2011.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Kyle Brunson, pro se, Petitioner.

Pamela Jo Bondi, Attorney General, Tallahassee, for Respondent.

PER CURIAM.

The petition seeking a belated appeal of the judgment and sentence in Santa Rosa County Circuit Court case number 09-1324-CFA entered on March 23, 2010, rendition of which was postponed pending rendition of the September 21, 2010,

order denying petitioner's motion to withdraw plea pursuant to Florida Rule of Criminal Procedure 3.170(l), 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. If petitioner qualifies for the appointment of counsel at public expense, the lower tribunal is directed to appoint counsel to represent him in the belated appeal authorized by this opinion.

HAWKES, THOMAS, and ROBERTS, JJ., CONCUR.