

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

SHANE MICHAEL SHELNUTT,

Petitioner,

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

v.

CASE NO. 1D11-6046

STATE OF FLORIDA,

Respondent.

_____ /

Opinion filed February 14, 2012.

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

James Owens, Public Defender, and Jason Douglas McKinney, Assistant Public
Defender. DeFuniak Springs, for Petitioner.

Pamela Jo Bondi, Attorney General, and Brooke Poland, Assistant Attorney General,
Tallahassee, for Respondent.

PER CURIAM.

The petition alleging ineffective assistance of appellate counsel is granted and case number 1D10-5165, which was dismissed when counsel failed to timely file a brief, is hereby reinstated.

The record on appeal has been filed in the above-referenced appeal. Further, the Public Defender for the Second Judicial Circuit has been designated. The initial brief in case number 1D10-5165 shall be filed within 30 days of the date of issuance of mandate in this cause.

LEWIS, ROBERTS, and RAY, JJ., CONCUR.