

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

DEREK SMITH,

Petitioner,

v.

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

CASE NO. 1D12-0009

STATE OF FLORIDA,

Respondent.

_____ /

Opinion filed April 17, 2012.

Amended Petition Seeking Belated Appeal -- Original Jurisdiction.

Derek Smith, pro se, Petitioner.

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

PER CURIAM.

The amended petition seeking a belated appeal of the order rendered on or about August 19, 2011, denying petitioner's motion to correct illegal sentence in Duval County Circuit Court case number 16-2007-CF-4995-AXXX-MA, 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.

PADOVANO, THOMAS, and RAY, JJ., CONCUR.