

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

EARL SMITH,  
  
Petitioner,

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

v.

CASE NO. 1D03-0899

STATE OF FLORIDA,  
  
Respondent.

---

Opinion filed July 8, 2003.

Petition for Belated Appeal -- Original Jurisdiction.

Nancy A. Daniels, Public Defender, and G. Kay Witt, Assistant Public Defender,  
Tallahassee, for petitioner.

Charlie Crist, Attorney General, and Robert R. Wheeler, Assistant Attorney General,  
Tallahassee, for respondent.

PER CURIAM.

Earl Smith's request for a belated appeal from the judgment and sentence rendered on October 2, 2002, in Columbia County Circuit Court case number

99-590-CF is granted. Upon issuance of mandate in this cause, a copy of this opinion shall be provided to the clerk of the circuit court for treatment as a notice of appeal. See Fla. R. App. P. 9.141(c)(5)(D). If petitioner qualifies for appointed counsel, the trial court shall appoint counsel to represent petitioner on appeal.

KAHN, VAN NORTWICK and BROWNING, JJ., concur.