

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

LONNIE JOSH SMITH,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D03-2318

Opinion filed December 12, 2003.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Lonnie Josh Smith, petitioner, pro se.

Charlie Crist, Attorney General, Karen M. Holland and Shasta W. Cruse, Assistant Attorneys General, Tallahassee, for respondent.

PER CURIAM.

The petition seeking a belated appeal of the judgment and sentence imposed on December 5, 2002, in Okaloosa County Circuit Court case number

01-CF-001635-002, is granted. Upon issuance of mandate, 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 the appointment of counsel at public expense, the trial court shall appoint counsel to represent petitioner on appeal.

WOLF, C.J., ERVIN and PADOVANO, JJ., concur.