

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

MICHAEL BENJAMIN,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D03-3886

Opinion filed December 31, 2003.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Michael Benjamin, pro se, petitioner.

Charles Crist, Attorney General, and Anne C. Conley, Assistant Attorney General,
Tallahassee, for respondent.

PER CURIAM.

The petition is granted and Michael Benjamin is hereby afforded a belated appeal from the order denying postconviction relief in Nassau County case number 02-97-CF. Upon issuance of mandate in this cause, a copy of this opinion will be provided to the clerk of the circuit court, and shall be treated as a notice of appeal. Fla. R. App. P. 9.141(c)(5)(D).

PETITION GRANTED .

KAHN, WEBSTER and DAVIS, JJ., concur.