

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

ELVIS THOMAS,

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. 1D04-1431

Opinion filed August 10, 2004.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Elvis Thomas, pro se, petitioner.

Charlie Crist, Attorney General, and Philip W. Edwards, Assistant Attorney General,  
Tallahassee, for respondent.

PER CURIAM.

The petition is granted and Elvis Thomas is hereby afforded a belated appeal from the February 10, 2003, order of the Circuit Court in and for Duval County which denied his motion for postconviction relief in case number 96-10986-CF-A. Upon issuance of mandate in this cause, a copy of this opinion will be provided to the clerk of the circuit court, who shall treat it as a notice of appeal. Fla. R. App. P. 9.141(c)(5)(D).

PETITION GRANTED.

WOLF, C.J., KAHN and LEWIS, JJ., concur.