

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

ANDREW SWEET, JR.,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D05-0117

Opinion filed May 31, 2005.

Petition For Belated Appeal -- Original Jurisdiction.

Nancy Daniels, Public Defender, and Judith Hall, Assistant Public Defender, Quincy,
for petitioner.

Charlie Crist, Attorney General, and Elizabeth Fletcher Duffy, Assistant Attorney
General, Tallahassee, for respondent.

PER CURIAM.

The petition for belated appeal is granted. Petitioner shall be allowed a belated appeal from the judgment and sentence rendered on August 24, 2004, in Gadsden County Circuit Court case number 02-746-CFA. 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 the notice of appeal. Fla. R. App. P. 9.141(c)(5)(D). If petitioner

qualifies for appointed counsel and counsel has not yet been appointed, the trial court shall appoint counsel to represent petitioner on appeal.

PETITION GRANTED.

WOLF, C.J., VAN NORTWICK and THOMAS, JJ., concur.