

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

JACK KING,  
  
Petitioner,

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

v.

CASE NO. 1D05-4428

STATE OF FLORIDA,  
  
Respondent.

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Opinion filed February 9, 2006.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Nancy Daniels, Public Defender, and John B. Kelly, II, Assistant Public Defender, Tallahassee; Professor Tim Howard of Howard & Associates, Tallahassee, for petitioner.

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

PER CURIAM.

The petition is granted and Jack King is hereby afforded a belated appeal from judgment and sentence imposed upon a finding that he violated his probation in Leon County case number 1997-1979AF. Upon issuance of mandate in this cause, a copy of the opinion will be provided to the clerk of the lower tribunal who shall treat it as a notice of appeal. Fla. R. App. P. 9.141(c)(5)(D).

PETITION GRANTED.

WEBSTER, POLSTON and HAWKES, JJ., concur.