

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

RONALD DAVIS SMALL,

Appellant,

v.

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

CASE NO. 1D06-5876

FLORIDA PAROLE COMMISSION,

Appellee.

Opinion filed May 31, 2007.

An appeal from the Circuit Court for Jackson County.
William L. Wright, Judge.

Ronald Davis Small, pro se, Appellant.

Kim M. Fluharty, General Counsel, and Bradley R. Bischoff, Assistant General
Counsel, Florida Parole Commission, Tallahassee, for Appellee.

PER CURIAM.

Ronald Davis Small appeals an order of the circuit court which denied his
habeas corpus petition as time-barred under section 95.11(5)(f), Florida Statutes. The
Parole Commission correctly concedes error in light of this court's decision in Martin
v. Florida Parole Comm'n, 951 So. 2d 84 (Fla. 1st DCA 2007). We accordingly
reverse and remand for further proceedings.

REVERSED.

VAN NORTWICK, LEWIS, and ROBERTS, JJ., CONCUR.