

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

COLBY SMITH,

Petitioner,

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

v.

CASE NO. 1D06-6374

STATE OF FLORIDA,

Respondent.

Opinion filed June 5, 2007.

Petition for Belated Appeal -- Original Jurisdiction.

Colby Smith, pro se, Petitioner.

Bill McCollum, Attorney General, and Anne C. Conley, Assistant Attorney General,
Tallahassee, for Respondent.

PER CURIAM.

The petition for belated appeal is granted. Petitioner shall be allowed a belated
appeal from the February 23, 2005, judgment and sentence in Alachua County Circuit

Court case number 2004-CF-2421-A. 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, the trial court shall appoint counsel to represent petitioner on appeal.

PETITION GRANTED.

WOLF, DAVIS, and THOMAS, JJ., CONCUR.