

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

ARCADIO RIOS,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D07-1064

Opinion filed November 13, 2007.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Michael Rayne of the Law Offices of Michael Rayne, Tallahassee; Arcadio Rios, pro se, for Petitioner.

Bill McCollum, Attorney General, and Bryan Jordan, Assistant Attorney General, Tallahassee, for Respondent.

CORRECTED OPINION

PER CURIAM.

The petition seeking a belated appeal of the judgment and sentence rendered on or about October 31, 2006, in Gadsden County Circuit Court case number 06-198CFD, is granted. 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 a notice of appeal. See Fla. R. App. P. 9.141(c)(5)(D). If petitioner qualifies for the appointment of counsel, the lower tribunal shall appoint counsel to represent him on appeal.

PETITION GRANTED.

BARFIELD, DAVIS, and LEWIS, JJ., CONCUR.