

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

WALTER DOUGLAS SMOCK,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D07-2146

Opinion filed September 25, 2007.

Petition Seeking Belated Appeal -- Original Jurisdiction.

Nancy A. Daniels, Public Defender, Terry Carley, Assistant Public Defender,
Tallahassee, for Petitioner.

Bill McCollum, Attorney General, Tallahassee, for Respondent.

PER CURIAM.

The petition is granted and Walter Douglas Smock is hereby afforded a belated appeal from case number 06-658 in the Circuit Court for Santa Rosa County. Upon issuance of mandate in this cause, a copy of this opinion will be provided to the clerk of the circuit court who shall treat it as a notice of appeal. Fla. R. App. P. 9.141(c)(5)(D). The trial court shall appoint counsel for the appeal if he qualifies for such an appointment.

BROWNING, C.J., ALLEN and THOMAS, JJ., CONCUR.