

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

DUANE WYATT DAVIDSON,

Petitioner,

v.

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

CASE NO. 1D08-5037

STATE OF FLORIDA,

Respondent.

Opinion filed February 24, 2009.

Petition for Belated Appeal -- Original Jurisdiction.

Duane Wyatt Davidson, pro se, Petitioner.

Bill McCollum, Attorney General, and Heather Flanagan Ross, Assistant Attorney General, Tallahassee, for Respondent.

PER CURIAM.

The petition is granted and Duane Wyatt Davidson is hereby afforded a belated appeal from judgment and sentence in case number 02-2003-CF-244-A in the Circuit

Court for Baker County. Upon issuance of mandate in this cause, a copy of this opinion will be provided to the clerk of the circuit court, with directions that it be treated as a notice of appeal. Fla. R. App. P. 9.141(c)(5)(D).

The circuit court is directed to appoint counsel to represent petitioner in the appeal, if he qualifies for such an appointment.

PETITION GRANTED.

WEBSTER, BROWNING, and LEWIS, JJ., CONCUR.