

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

WILLIE LEE MILLER,

Petitioner,

v.

STATE OF FLORIDA,

Respondent.

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

CASE NO. 1D09-2871

Opinion filed September 10, 2009.

Petition for Belated Appeal -- Original Jurisdiction.

Nancy A. Daniels, Public Defender; Archie F. Gardner, Jr., and Nina Moody,
Assistant Public Defenders, Tallahassee, for Petitioner.

Bill McCollum, Attorney General, and Trisha Meggs Pate, Assistant Attorney
General, Tallahassee, for Respondent.

PER CURIAM.

The petition is granted and Willie Lee Miller is hereby afforded a belated
appeal from judgment and sentence in case number 02-306CFA in the Circuit

Court for Gadsden 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.

BENTON, THOMAS, and CLARK, JJ., CONCUR.