

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

RICO PETE RUBIANES,

Petitioner,

v.

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

CASE NO. 1D12-2753

STATE OF FLORIDA,

Respondent.

_____ /

Opinion filed November 16, 2012.

Petition for Belated Appeal -- Original Jurisdiction.

Rico Pete Rubianes, pro se, Petitioner.

Pamela Jo Bondi, Attorney General, Tallahassee, for Respondent.

PER CURIAM.

The petition for belated appeal is granted. Petitioner shall be allowed a belated appeal from the April 21, 2010, judgment and sentence, in Duval County Circuit Court case number 16-2009-CF-014560-AXXX-MA. 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)(6)(D). If petitioner qualifies for appointed counsel, the trial court shall appoint counsel to represent petitioner on appeal.

ROBERTS, WETHERELL, and SWANSON, JJ., CONCUR.