

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT JANUARY TERM 2010

ALINTON H. JOHN,

Petitioner,

v.

Case No. 5D09-3677

STATE OF FLORIDA,

Respondent.

Opinion filed January 29, 2010.

Petition for a Belated Appeal, A Case of Original Jurisdiction

Alinton H. John, Raiford, pro se.

Bill McCollum, Attorney General
Tallahassee and Wesley Heidt, Assistant
Attorney General, Daytona Beach,
for Respondent.

PER CURIAM.

The petition for belated appeal is granted. A copy of this opinion will be filed with the lower court and be treated as the notice of appeal from the order denying the rule 3.850 motion in Case No. 05-CF-003067-O in the Circuit Court in and for Orange County. See Fla. R. App. P. 9.141(c)(5)(D).

PETITION GRANTED.

MONACO, C.J., COHEN, and JACOBUS, JJ., concur.