

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

JULY TERM 2010

ALBERT SPENCER,

Petitioner,

v.

Case No. 5D10-2084

STATE OF FLORIDA,

Respondent.

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Opinion filed August 6, 2010

Petition for Belated Appeal,  
A Case of Original Jurisdiction.

Albert Spencer, Avon Park, 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 motion for post-conviction relief in Case No. 05-2005-CF-052891-A, in the Circuit Court in and for Brevard County. See Fla. R. App. P. 9.141(c)(5)(D).

PETITION GRANTED.

SAWAYA, TORPY and LAWSON, JJ., concur.