

RECEIVED 01/04/2016 4:59 pm FLORIDA SUPREME COURT

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JON S. WHEELER  
CLERK, DISTRICT COURT OF APPEAL  
FIRST DISTRICT

CERTIFY THE ABOVE TO BE A TRUE COPY  
JON S. WHEELER  
FIRST DISTRICT COURT OF APPEAL  
BY: *[Signature]*  
DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

IN THE DISTRICT COURT OF APPEAL OF FLORIDA  
FIRST DISTRICT

ROBERT A BELSEY  
Petitioner,

Case No.: 15-3741

vs.

PROVIDED TO BAKER CI  
ON 12-29-15  
FOR MAILING. *[Signature]*

STATE OF FLORIDA  
Respondent,

**NOTICE TO INVOKE DISCRETIONARY JURISDICTION**

NOTICE IS GIVEN that ROBERT A. BELSEY,

Defendant/Petitioner, invokes the discretionary jurisdiction of the supreme court of Florida to review the decision of this court rendered NOVEMBER 04, 2015. The decision: THE DECISION EXPRESSLY AND DIRECTLY CONFLICT WITH A DECISION OF ANOTHER DISTRICT COURT OF APPEAL OR OF THE SUPREME COURT ON THE SAME QUESTION OF LAW.

Date: DECEMBER 29, 2015

Respectfully submitted,

1st Robert A. Belsey  
BELSEY, ROBERT A. #293344  
Baker Correctional Institution  
20706 U.S. Highway 90 West  
Sanderson, FL 32087-2359  
Defendant, *pro se*

**CERTIFICATE OF SERVICE**

I certify that I placed this document in the hands of the Institution official at Baker Correctional Institution in accordance with Fla.R.Civ.P 9.420(1), State of Florida \_\_\_\_\_ for mailing to:

FIRST DISTRICT COURT OF APPEAL / 2000 DRAYTON DR. / CLERK OF COURT  
SUPREME COURT OF FLORIDA 500 S. DUVAL ST - RENEE FUSSELL CLERK OF COURT, DUVAL COUNTY  
on this 29 day of DECEMBER, 2015.

Respectfully submitted,

1/s/ Robert A. Gelsey  
GELSEY, ROBERT A. # 283344  
Baker Correctional Institution  
20706 U.S. Highway 90 West  
Sanderson, FL 32087-2359  
Defendant, *pro se*

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

ROBERT ALLEN GELSEY,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

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

CASE NO. 1D15-3741

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Opinion filed November 4, 2015.

An appeal from an order of the Circuit Court for Duval County.  
Jack M. Schemer, Judge.

Robert Allen Gelsey, pro se, Appellant.

Pamela Jo Bondi, Attorney General, and Charles R. McCoy, Senior Assistant  
Attorney General, Tallahassee, for Appellee.

PER CURIAM.

AFFIRMED.

SWANSON, MAKAR, and BILBREY, JJ., CONCUR.

DISTRICT COURT OF APPEAL, FIRST DISTRICT  
2000 Drayton Drive  
Tallahassee, Florida 32399-0950  
Telephone No. (850)488-6151

December 14, 2015

CASE NO.: 1D15-3741  
L.T. No.: 16-2011-CF-0707-AXXX

Robert Allen Gelsey

v.

State of Florida

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Appellant / Petitioner(s),

Appellee / Respondent(s)

**BY ORDER OF THE COURT:**

Appellant's motion filed November 20, 2015, for rehearing and clarification is denied.

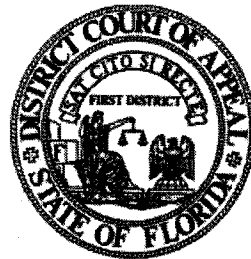
**I HEREBY CERTIFY** that the foregoing is (a true copy of) the original court order.

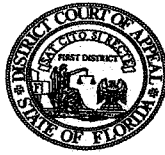
Served:

Hon. Pamela Jo Bondi, A. G.      Charles R. McCoy, S. A. A. G.      Robert Allen Gelsey

kr

  
JOY S. WHEELER, CLERK





DISTRICT COURT OF APPEAL  
 FIRST DISTRICT  
 STATE OF FLORIDA  
 2000 DRAYTON DRIVE  
 TALLAHASSEE, FLORIDA 32399-0950  
 (850) 488-6151

JON S. WHEELER  
 CLERK OF THE COURT

KAREN ROBERTS  
 CHIEF DEPUTY CLERK

Re: Robert A. Gelsey <sup>January 4, 2016</sup>  
 Appeal No.: 1D15-3741  
 Trial Court No.: 16-2011-CF-0707-AXXX  
 Trial Court Judge: Hon. Jack M. Schemer

Dear Mr. Tomasino:

Attached is a certified copy of the Notice Invoking the Discretionary Jurisdiction of the Supreme Court, pursuant to Rule 9.120, Florida Rules of Appellate Procedure. Attached also is this Court's opinion or decision relevant to this case.

- The filing fee prescribed by Section 25.241(3), Florida Statutes, was received by this court and is attached.
- The filing fee prescribed by Section 25.241(3), Florida Statutes, was not received by this court.
- Petitioner/Appellant has previously been determined insolvent by the circuit court or our court in the underlying case.
- Petitioner/Appellant has already filed, and this court has granted, petitioner/appellant's motion to proceed without payment of costs in this case.

No filing fee was required in the underlying case in this court because it was:

- A summary Appeal, pursuant to Rule 9.141
- From the Unemployment Appeals Commission
- A Habeas Corpus proceeding
- A Juvenile case
- Other \_\_\_\_\_

If there are any questions regarding this matter, please do not hesitate to contact this Office. A motion postponing rendition pursuant to Florida Rule of Appellate Procedure 9.020(i)  is or  is NOT pending in the lower tribunal at the time of filing this notice of appeal.

Sincerely yours,

*Jon S. Wheeler*

Jon S. Wheeler  
 Clerk of the Court

By: *[Signature]*  
 Deputy Clerk