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**IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT, IN
AND FOR BREVARD COUNTY, FLORIDA**

CASE NO. 91-7249-CF-A

STATE OF FLORIDA,

**CAPITAL CASE - WARRANT SIGNED
EXECUTION SCHEDULED FOR
NOVEMBER 15, 2007**

Plaintiff,

v.

MARK DEAN SCHWAB,

Defendant

NOTICE OF APPEAL

Defendant, Mark Dean Schwab, by counsel, takes this appeal to the Florida Supreme Court of the Order of this Court dated August 17, 2007 and all adverse orders and rulings attendant thereto. The nature of the order appealed from is a final order summarily denying the Defendant's Rule R.Crim.P. 3.851 Motion to Vacate Sentence or Stay Execution which is dated August 15, 2007.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Appeal has been furnished by fax, e-mail and U.S. Mail, first class postage, to all counsel of record on this 30th day of August, 2007.

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STATE OF FLORIDA, COUNTY OF BREVARD

I HEREBY CERTIFY that the above and foregoing is a true copy of the original filed in this office

SCOTT ELLIS, Clerk Circuit and County Court

DATED 8/30/2007 BY Kim Barden



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KIM BARDEN
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