

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

CASE NO. 91-7249-CF-A

STATE OF FLORIDA,

Plaintiff,

v.

MARK DEAN SCHWAB,

Defendant
_____ /

CAPITAL CASE - WARRANT SIGNED
EXECUTION SCHEDULED FOR
July 1, 2008

NOTICE OF APPEAL

Defendant, Mark Dean Schwab, by counsel, takes this appeal to the Florida Supreme Court of the Order of this Court dated June 25, 2008 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 June 20, 2008.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing Notice of Appeal has been furnished by e-mail and U.S. Mail, first class postage, to all counsel of record on this 25th day of June, 2008.



Peter J. Cannon
Florida Bar No. 0109710
Mark S. Gruber
Florida Bar No. 0330541
CAPITAL COLLATERAL REGIONAL
COUNSEL-MIDDLE REGION
3801 Corporex Park Drive, Suite 210
Tampa, Florida 33619
813-740-3544

Attorneys for Defendant

Copies furnished to:

The Honorable Charles M. Holcomb
Circuit Court Judge
Titusville Courthouse
506 South Palm Avenue
Titusville, FL 32796

Guisseppina Ancona
Court Reporter
Brevard Associated Court Services
100 Rialto Place, Suite 700
Melbourne, FL 32901

Kenneth S. Nunnelley
Assistant Attorney General
Office of the Attorney General
444 Seabreeze Blvd., 5th Floor
Daytona Beach, FL 32118-3958

Robert Wayne Holmes
Assistant State Attorney
Office of the State Attorney
2725 Judge Fran Jamieson Way
Building D
Viera, Florida 32940

Roger R. Maas
Commission on Capital Cases
maas.roger@leg.state.fl.us

Thomas Hall, Clerk
Florida Supreme Court
warrant@flcourts.org