

FILED  
THOMAS D. HALL

2007 AUG 21 A 8:54

CLERK, SUPREME COURT

BY \_\_\_\_\_

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

CASE NO 05-1991-7249-AXXX

STATE OF FLORIDA,

Plaintiff,

v

MARK DEAN SCHWAB,

Defendant

FILED IN TVE-01  
CLERK OF CIR CT  
BREVARD CO FL

2007 AUG 20 A 10:44

SCOTT ELLIS

**SECOND ORDER ON STATUS OF SEALED DOCUMENTS**

This matter came before the Court following the Defendant's request for public records pursuant to Fl R Crim Pro 3 852. Several agencies responded to the request by providing records under seal, claiming privilege or exemption from disclosure. The Court conducted an in camera review of the sealed documents under Rule 3 852(f) and (k). It makes the following findings with regard to the sealed documents:

A. Box 4027, FF1, FF2 and FF3 consist of mental health and HIV records from the Department of Corrections. These records are statutory exempt from public disclosure. Upon the Defendant signing any required DOC release, the documents may be released to him, however, as they are the Defendant's own records.




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THEREFORE it is ORDERED and ADJUDGED

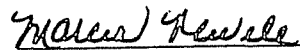
- 1 The documents in Box 4017, FF1, Box 4016, FF2 and Box 4022, FF1 are exempt from public disclosure but may be released to the Defendant upon his signing any required DOC release form

DONE AND ORDERED in Titusville, Brevard County, Florida this 20 day of August 2007

  
 CHARLES M HOLCOMB  
 Circuit Court Judge

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was provided by facsimile to Peter Cannon, Mark Gruber and Daphne Gaylord, Capital Collateral Regional Counsel, Middle District, 3801 Complex Drive, Suite 210, Tampa, FL 33619, fax (813) 740-3554, Wayne Holmes, Assistant State Attorney, fax (321) 617-7542, Ken Nunnelley and Barbara Davis, Office of the Attorney General, 444 Seabreeze Blvd, Fifth Floor, Daytona Beach, FL 32118-3951, fax (386) 226-0457 Tallahassee, FL 32399-2500, fax (850) 410-3073, this 20 day of August 2007

  
 Marcia Newell  
 Judicial Assistant  
 Eighteenth Judicial Circuit  
 Titusville Courthouse  
 506 S Palm Ave  
 Titusville, FL 32796