

DISTRICT COURT OF APPEAL, SECOND DISTRICT OF FLORIDA

NOTICE OF APPEAL TRANSMITTAL FORM

RECEIVED, 04/06/2017 03:48:27 PM, Clerk, Second District Court of Appeal

ROBERT J. TREASE
Appellant(s)

SARASOTA COUNTY/ COCC
County/State Agency

v.

STATE OF FLORIDA
Appellee(s)

L.T. Case No.: 1995 CF 002207 NC

[X] The accompanying notice of appeal was filed on 04/05/17. A certified electronic copy of the notice accompanies this form.

[ ] The civil notice carried with it a copy of the order appealed, which is transmitted with the notice.

[ ] The civil notice was not accompanied by a copy of the order appealed.

[ ] The district court's filing fee has been received and will promptly be forwarded to the court by U.S. Mail.

[ ] There is no filing fee in this type of proceeding (e.g., dependency/termination of parental rights; postconviction and habeas corpus appeals; delinquency appeals; administrative reemployment assistance appeals initiated by an employee).

[ ] The appellant has been determined to be indigent. Included in the transmission of the notice of appeal is an order or certificate of insolvency.

[ ] An appellate filing fee appears to be required but has not been paid.

[ ] This is dependency/termination of parental rights case. A designation to the court reporter does or does not accompany the notice of appeal in the transmission to the district court.

CASE TYPE:

[ ] Summary postconviction appeal. An electronic bookmarked record is being transmitted to the district court's FTP server contemporaneously with the notice of appeal.

[X] Summary postconviction appeal. The electronic record cannot be transmitted at this time but will follow within 0 days.

[ ] Nonsummary postconviction appeal. The lower tribunal clerk has has not treated the notice of appeal as a designation to the court reporter.

[ ] Judgment and sentence appeal.

Juvenile delinquency appeal.

State criminal appeal.

Dependency/termination of parental rights appeal.

Other civil appeal, including probate/guardianship, Ryce, Baker Act, etc.

Administrative appeal.

Criminal appeal of unknown case classification. A copy of the order that seems to be appealed is included in this transmission, or it is impossible to determine what order the appellant is attempting to appeal.

Further comments that might be of value to the district court in determining case classification and jurisdiction are:

The lower tribunal Judge's order dated 03/06/17, refers to the motion being appealed as 3.851 Post Conviction Relief. The 3.851 Summary Record is being sent to the 2nd DCA today, 4/6/17.

GEORGIA J. LAVOY

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Deputy Clerk

IN THE CIRCUIT COURT OF THE  
TWELFTH JUDICIAL CIRCUIT, IN  
AND FOR SARASOTA COUNTY,  
FLORIDA

**STATE OF FLORIDA,**

Plaintiff,

v.

CASE NO. 95-2207CF-A

**ROBERT J. TREASE,**

Defendant

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**NOTICE OF APPEAL**

**ROBERT J. TREASE**, Defendant in the above-captioned action, by and through his court-appointed collateral registry counsel files this, his notice of appeal, appealing the Order denying his successive motion to vacate his death sentence which was filed by the clerk on March 6, 2017, to the Florida Supreme Court. Mr. Trease also wishes to appeal all adverse rulings made by the circuit court during the pendency of the successive motion to vacate. Respectfully submitted this 5<sup>th</sup> day of April, 2017.

**CERTIFICATE OF SERVICE**

I, Mark Olive, hereby certify that on April 5, 2017, I served this filing by

electronic transmission via the e-portal to Assistant Attorney General Steven D.

Ake at stephen.ake@myfloridalegal.com.

/s/Mark Evan Olive

STATE OF FLORIDA, COUNTY OF SARASOTA  
I hereby certify that the foregoing is a true and correct copy  
of pages 1 through 2 of the instrument filed in  
this office. The original instrument filed contains 2 pages.  
 This copy has no redactions.  This copy has been  
redacted pursuant to law.

Witness my hand and official seal this 5 day of  
April, 2017.

KAREN E. RUSHING, CLERK OF THE CIRCUIT COURT

By: [Signature]  
Deputy Clerk

