

SUPREME COURT OF FLORIDA

NOTICE OF APPEAL TRANSMITTAL FORM

Appellant(s)

County/State Agency

v.

Appellee(s)

L.T. Case No.: _____

___ The accompanying notice of appeal was filed on _____. 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.

___ Summary postconviction appeal. The electronic record cannot be transmitted at this time but will follow within ___ 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.

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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:

Deputy Clerk

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

STATE OF FLORIDA,

Plaintiff,

v.

DANIEL BURNS,

Defendant.

CASE NO.: 1987-CF-2014

Capital Post-Conviction Case

_____ /

NOTICE OF APPEAL

The Defendant, DANIEL BURNS, by counsel, takes this appeal to the Florida Supreme Court of the circuit court's Order Summarily Denying "Defendant's Successive Motion to Vacate Judgments of Conviction and Sentence (*Hurst v. Florida*)," dated March 21, 2017. The nature of the order appealed from is a final order denying the Defendant's Successive Motion to Vacate Judgments of Conviction and Sentence (*Hurst v. Florida*), originally filed on January 9, 2017.

All parties to said cause are hereby notified of the entry of this appeal.

Respectfully submitted,

/s/ Mark S. Gruber

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CERTIFICATE OF SERVICE

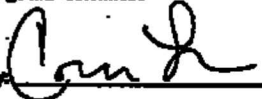
I HEREBY CERTIFY that a true copy in PDF format of the foregoing DEFENDANT'S NOTICE OF APPEAL has been transmitted to this Clerk of the Twelfth Judicial Circuit, Manatee County, through the Florida Courts E-Filing Portal, which will serve a Notice of Electronic Filing to: Carol Dittmar, Assistant Attorney General, Office of the Attorney General, at carol.dittmar@myfloridalegal.com and capapp@myfloridalegal.com; Office of the State Attorney, Attn. Ed Brodski, Assistant State Attorney, at sao.rounds@mymanatee.org; and a copy by U.S. Mail, prepaid first class postage to the Defendant, Daniel Burns, DOC #111918, Union Correctional Institution, P.O. Box 1000, Raiford, Florida 32083, on this 18th day of April, 2017.

/s/ Mark S. Gruber
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STATE OF Florida, COUNTY OF MANATEE
This is to certify that the foregoing is a true and
correct copy of the documents on file in my office
Angeline Colonneso


By _____, D.C.