

IN THE SUPREME COURT OF FLORIDA

MARK D. SIEVERS, :

Appellant, :

vs. : Case No. SC20-225

STATE OF FLORIDA, :

Appellee. :

_____ :

SUPPLEMENTAL APPENDIX FOR APPELLANT’S MOTION TO
RELINQUISH JURISDICTION RE: NEW EXCULPATORY EVIDENCE

HOWARD L. “REX” DIMMIG,II
PUBLIC DEFENDER
TENTH JUDICIAL CIRCUIT

KAREN M. KINNEY
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RECEIVED, 12/27/2021 10:35:22 AM, Clerk, Supreme Court

1. Motion for New Trial Based On Newly Discovered Evidence of Actual Innocence (with Attachments)

**IN THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR LEE COUNTY, FLORIDA**

STATE OF FLORIDA

CASE NUMBER: 15-CF-673B

v.

MARK D. SIEVERS

Defendant

_____ /

**MOTION FOR NEW TRIAL BASED ON NEWLY DISCOVERED
EVIDENCE OF ACTUAL INNOCENCE**

The Defendant, **MARK D. SIEVERS**, by and through his undersigned counsel respectfully moves this Honorable Court pursuant to Fla. R. Crim. Pro. 3.600(a)(3) for an Order granting a new trial based on newly discovered material evidence of actual innocence which was unobtainable through reasonable diligence at the time of the trial.¹

In support thereof, Mr. Sievers submits the following:

1. On March 11, 2016, the State of Florida charged Mr. Sievers by Information with one count of second degree murder and one count of conspiracy to commit murder.
2. On May 4, 2016, the State of Florida charged Mr. Sievers by Indictment with one

¹ Mr. Sievers' direct appeal from his conviction and death sentence are still pending at the Florida Supreme Court (SC20-0225), thus his case is not final for post-conviction purposes. Should both his conviction and death sentence be affirmed, pursuant to Fl. R. Crim. P. 3.851, Mr. Sievers has one year in which to file his initial post-conviction motion. Mr. Sievers is also aware that time limits on filing newly discovered evidence claims are limited to one-year from the discovery of the evidence (in the case of a new witness statement, that time is when the witness statement is discovered or obtained). As such, this Motion is timely filed within less than one year of the discovery of the evidence and is also properly categorized and filed as a Motion for New Trial. Should the Court determine that this issue is more appropriately addressed in post-conviction, Mr. Sievers respectfully requests this claim be held in abeyance until his direct appeal is final and his initial post-conviction motion is due to be filed.

count of first degree murder and one count of conspiracy to commit first degree murder. Mr. Sievers was alleged to have conspired with Jimmy Rodgers and Curtis Wayne Wright to murder Mr. Sievers' wife, Teresa Sievers. The indictment also charged Mr. Rodgers but Mr. Wright was not charged in the Indictment as he was the "prosecution's star witness," and the State's case rested on Wright's credibility. (*State v. Sievers*, Initial Brief, p. 8, Florida Supreme Court Case No. SC20-0225).

3. Wright, a four or five-time convicted felon, met with prosecutors on January 6, 2016 to obtain a plea deal. He gave a video-recorded statement where he changed his testimony in material ways and admitted at trial that he lied during his proffer. (*State v. Sievers*, Initial Brief, p. 9, 20-22, Florida Supreme Court Case No. SC20-0225)

4. Mr. Wright pled guilty to second-degree murder and received a much lesser sentence (25 years in prison) than Mr. Rodgers, who was sentenced to life in prison, and Mr. Sievers, who was sentenced to death. Wright's agreement required him to submit to a polygraph examination but no such examination was ever conducted.

5. The State's theory at trial was that Sievers conspired with Wright to have Wright murder Teresa Sievers so that he could claim insurance money after her death. Teresa Sievers died of blunt force injury in the couple's home from a hammer blow; Sievers was in Connecticut with the couple's children at the time of the murder. The medical examiner could not say whether one or two hammers were used or whether more than one assailant was involved.

6. Wright was a long time friend of Mark Sievers and quickly became a suspect. Wright maintained the computers, including the software, for Teresa Sievers' medical practice. He worked remotely in Missouri but at times he needed to be physically at the

medical office in Florida.

7. Wright gave conflicting statements when he was first interviewed in July and then August of 2015, claiming he had been home in bed all weekend when the murders occurred. Wright also manipulated four of his neighbors to sign false affidavits that he was in Missouri the weekend of the murders. (*State v. Sievers*, Initial Brief, p. 17-18, 20, Florida Supreme Court Case No. SC20-0225).

8. A search warrant on Wright's home led to the discovery of a number of cell phones and the second suspect, Jimmy Rodgers.

9. Both Wright and Rodgers were arrested in 2015. Prosecutors had determined that Wright and Rodgers had driven from Missouri to Bonita Springs on the day of the murder and returned the same night.

10. Wright had been involved in a car accident and suffered a traumatic brain injury. He was also diagnosed with bipolar disorder. Both of which are recognized through extensive scientific research and observation to result in a reduced ability to control anger and an increased likelihood of a violent response.

11. Wright was a friend of Sievers and had been to the couple's home on several occasions prior to the murder.

12. Wright testified at trial that Sievers told him that Teresa was having an affair and the couple were experiencing financial trouble and then Sievers asked Wright to kill Teresa. Wright claimed Sievers offered him \$100,000 dollars.

13. Wright claimed that they planned the murder on prepaid cell phones, but none of the texts on the prepaid phones were ever produced. The phones communicated with each other but the content of the texts was never discerned.

14. Wright claimed he recruited Rodgers because Rodgers had been involved in other deaths.

15. The computers at Teresa Sievers' medical practice had to be upgraded in the summer of 2015 when Wright and Rodgers traveled to Florida.

16. Wright testified that after staking out the office and the residence, he hit Teresa with a hammer he found in the garage and that Rodgers grabbed another hammer he found and started striking her with the hammer also. Wright claims he told Rodgers to stop, which, of course, strains credulity if Wright was there to purposefully murder Teresa for money.

17. Rodgers and Wright then left the home, failing to stage a burglary, and drove back to Missouri.

18. Sievers' trial began on November 12, 2019, and he was found guilty on December 4, 2019. The penalty phase lasted a single day- December 10, 2019. Remarkably, the defense presented no expert testimony at either phase of the State's case. The jury verdict was unanimous for death.

19. This Court conducted a sentencing hearing on January 2, 2020, and sentenced Sievers to death for the murder and 30 years for the conspiracy. This Court filed its sentencing order on the same day. Mr. Sievers maintained his innocence throughout the trial and maintains it to this day.

20. Mr. Sievers timely appealed to the Florida Supreme Court on February 14, 2020. (Florida Supreme Court Case No. SC20-0225).

21. That appeal remains pending.

22. On November 8, 2021, Mr. Sievers, through his appellate attorney filed a motion

with the Florida Supreme Court to relinquish jurisdiction based on newly discovered evidence of actual innocence.² In that filing, appellate counsel included a letter written by Jimmy Rodgers in December of 2020. Rodgers had been unavailable at the time of trial as his own case was pending and he had an absolute right to not answer any questions or be made to testify in the matter.

23. On December 22, 2020, Jimmy Rodgers mailed the letter to Bonnie Sievers, Mark Sievers' mother. The letter set out facts that showed that Curtis Wright killed Bonnie Sievers in a spontaneous burst of anger (which would be consistent with his bipolar disorder and traumatic brain injury) and that there was no agreement or conspiracy to commit murder. That letter is attached as an exhibit to this motion and the facts alleged in the letter are hereby incorporated into this motion. Also attached to this motion is a sworn affidavit from Mr. Rodgers, swearing that he wrote the letter and that the facts in the letter are true.

24. In his letter, Rodgers sets out how Taylor Shoemaker's statements were false and induced by suggestion by the interrogating Detective and that Shoemaker was given money for her testimony. Rodgers also sets out how Wright's "story" was suggested to him by the Detective and that Rodgers refused to affirm a story that he knew to be false and inaccurate. Rodgers then sets out that he accompanied Wright on the trip to Florida because Wright was unable to drive on his own due to his disabilities. Most importantly, Rodgers describes

² Until the Florida Supreme Court relinquishes jurisdiction, or renders a final opinion in Mr. Sievers' appeal, this Court lacks jurisdiction to hear this motion. However, as noted above, because there exists a 1-year limitation on filing a newly discovered evidence claim, Mr. Sievers files this motion within 1-year of when the claim could have been reasonably discovered through due diligence. As the letter was mailed on December 22, 2020, the earliest the evidence could have been discovered would be when the letter was received by Bonnie Sievers a number of days after the letter was mailed. Bonnie Sievers did not actually read the letter until January of 2021.

that the murder occurred because Wright had not realized Sievers would not be home that day and, when he had no place to stay in Florida, asked Teresa Sievers if he and Rodgers could stay at their house for the night. When Teresa understandably said no, Wright, consistent with his bipolar disorder and brain damage, became enraged and attacked her with the hammer which killed her. Wright and Rodgers then left immediately, not realizing Sievers was dead. Rodgers letter sets out facts, which, had they been presented to a jury would likely produce an acquittal on retrial. Rodgers' version of the events on the night of the murder are equally, if not more plausible than Wright's uncorroborated murder-for-hire yarn which saved him from the death penalty or life in prison.

25. Jimmy Rodgers – unlike Curtis Wright – has nothing to gain by setting out the facts in his letter.
26. Under Florida and federal law, there are two requirements needed for relief based on newly discovered evidence. First, the asserted facts must have been unknown to the trial court or to counsel at the time of the trial, and it must appear that defendant or his counsel could not have learned of them by the use of diligence. Second, the newly discovered evidence must be of such a nature that it would probably produce an acquittal on retrial. *See Fla. R. Crim. Pro. 3.600(a); Jones v. State*, 709 So. 2d 512 (Fla. 1998).
27. The *Jones* standard is also applicable where the issue is whether a life or death sentence should have been imposed. *Scott v. Dugger*, 604 So. 2d 465, 468 (Fla. 1992); *see also Jones v. State*, 591 So. 2d 911, 914-15 (Fla. 1991); *Robinson v. State*, 707 So. 2d 688, 691 n.4 (Fla. 1998); Fla. R. Crim. Pro. 3.851(d)(2)(A).
28. When addressing this claim, this Court “must evaluate all the admissible newly discovered evidence” adduced at a hearing “and then compare it with the evidence that was

introduced at trial.” *Jones v. State*, 709 So. 2d 512, 522 (Fla. 1998) (citing *Kyles v. Whitley*, 514 U.S. 419, 441 (1994)) (*Jones II*).

29. Further, the Florida Supreme Court has recognized the need for an evidentiary hearing where there are allegations of newly discovered evidence. “[O]rdinarily an evidentiary hearing is required for the trial court to properly determine, in accordance with *Jones*, whether the newly discovered evidence is of ‘such nature that it would probably produce an acquittal on retrial.’ *Jones*, 591 So.2d at 915. In making this determination, ‘the judge will necessarily have to evaluate the *weight* of both the newly discovered evidence and the evidence which was introduced at the trial,’ so that the appellate court can ‘fully evaluate the quality of the evidence which demonstrably meets the definition of newly discovered evidence and the evidence which was introduced at the trial,’ so that the appellate court can ‘fully evaluate the quality of the evidence which demonstrably meets the definition of newly discovered evidence.’ *Id.* at 916 (emphasis supplied).” *McLin v. State*, 827 So. 2d 948, 956 (Fla. 2002)(reversing the summary denial of a post-conviction motion involving an affidavit of a recanting eyewitness).

30. Similarly, in *Nordelo v. State*, 93 So. 3d 178 (Fla. 2012) the Florida Supreme Court reversed a summary denial of a newly discovered evidence claim and held that “the facts set forth in the motion and affidavit—that Nordelo did not participate in the crime with Lopez and that Lopez was afraid to come forward with the exculpatory testimony and refused to testify—are the type of facts which, if true, would subject the judgment to a legitimate collateral challenge.” *Id.* at 178. The *Nordelo* Court explained that “such evidence, if presented at trial, would have been important evidence for consideration by the jury...” *Id.* The Court concluded that “[w]hen taken as true for purposes of evaluating the legal sufficiency of the motion, the factual allegations and Lopez's proposed exculpatory testimony present a legally sufficient claim triggering an evidentiary hearing and were not conclusively refuted by the record.” *Id.* at 187. The Court remanded the case

back for an evidentiary hearing where the factual allegations in the “affidavit that exculpate Nordelo must be tried and tested in an evidentiary hearing where they are subject to credibility determinations.” *Id.* The Court further directed the lower court to “consider all newly discovered evidence which would be admissible and determine whether such evidence, had it been introduced at the trial, would have probably resulted in an acquittal. In reaching this conclusion, the judge will necessarily have to evaluate the weight of both the newly discovered evidence and the evidence which was introduced at the trial.” *Id.* at 187-88 (internal quotations and citations omitted).

31. Newly discovered evidence satisfies the second prong of the *Jones II* test if it “weakens the case against [the defendant] so as to give rise to a reasonable doubt as to his culpability.” *Jones II*, 709 So. 2d at 526 (quoting *Jones v. State*, 678 So. 2d 309, 315 (Fla. 1996) (*Jones I*)). If the defendant is seeking to vacate a sentence, the second prong requires that the newly discovered evidence would probably yield a less severe sentence. *See Jones I*, 591 So. 2d at 915.

32. The Due Process Clause of the United States Constitution, along with the Eighth Amendment, provide that when relevant evidence that would produce an acquittal has not been presented because it could not have been discovered, a capital defendant has a right to a new trial.

33. The December 2020 letter and affidavit of Jimmy Rodgers supports Mr. Siever’s claim that he is innocent of these crimes and requires an evidentiary hearing to address the facts set out in the letter.

34. Because this new information undercuts the State’s theory at trial, and because the State’s case came down to the credibility of a witness who had a motivation to lie against the Defendant, an acquittal is “probable” under the *Jones* standard. This Court

should grant an evidentiary hearing to allow a full and fair factual determination.

CONCLUSION

Based on the foregoing, Mr. Sievers requests the following relief: (1) setting aside his convictions and sentence of death and the grant of a new trial; 2) an opportunity for further evidentiary development to the extent necessary; and, (3) leave to supplement this motion should new claims, facts, or law arise.

Respectfully submitted,

/s/Marie-Louise Samuels-Parmer
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P.O. Box 18988
Tampa, FL 33679
Ph:813-732-3321
Fax: 813-831-0061
marie@parmerdeliberato.com

/s/Maria DeLiberato
MARIA DELIBERATO
Fla. Bar No. 664251
Parmer DeLiberato, P.A.
P.O. Box 18988
Tampa, FL 33679
Ph:717 503 2730
maria@parmerdeliberato.com

COUNSEL FOR MR. SIEVERS

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing was filed using the Florida Courts eFiling Portal which has electronically served Assistant State Attorney Cynthia Ross at cross@saocjis20.org and eservice@sao20.org, and the Honorable Bruce E. Kyle, Circuit Court Judge, at lee-circuit-divisionE@ca.cjis20.org on this 22nd day of December, 2021.

/s/Marie-Louise Samuels-Parmer
MARIE-LOUISE SAMUELS-PARMER
Fla. Bar No. 0005584

JR

Dear Bonnie Sievers

I do not know your son Mark Sievers, and I know you do not know me. I am writing you today though, because you and your family deserve closure. Your son Mark Sievers is an innocent man. What has happened to him is a tragedy and miscarriage of justice. Mark should never have been arrested. Mark had nothing to do with Teresa's murder.

Now that a jury has found me not guilty of conspiracy. As well as a jury has found me unarmed, meaning I'm not the armed killer, and the jury found me guilty of trespassing, meaning I was not in the house the murder happened inside of. I now hope to soon be in a position to save your son's life. They no longer can say my story is self-serving. My only interest in this is justice!!!

On the day of my arrest, August 2015, I gave a great deal of information to Detective David Lebid while answering his questions. However my answers did not match the (Hit Man Story) David Lebid was telling me. The Detective called my answers a self-serving statement, and would not stop using interrogation tactics to try getting me to change my answers to match the story he was telling me. It was only after it became apparent he would not accept my answers that I quit cooperating!

Here are some (FACTS) about the case I would greatly appreciate you researching and shearing.

First and foremost there is not any evidence of this (Hit Man Story) except the testimony of Wayne Wright and Taylor Shomaker. Second every thing they testified to came out Detective David Lebid's and Detective Mike Downs mouths first right on tape during both of their August 2015 interrogations. I beg you to watch Wayne's August 2015 interrogation. The entire time they feed Wayne a detailed story and try to get him to repeat it so they can

- Fact; The door to my trailer was kicked in before noon.
- Fact; Taylor's 8 minute recorded statement took place at 7:48 pm.
- Fact; Before Taylor's recorded statement the detectives collected evidence from information obtained from interrogating Taylor off camera.
- Fact; Both Detective Mike Downs and Detective David Lebid testified that they never questioned Taylor off camera or spoke about the case to her off camera.
- Fact; Taylor at deposition says she was interrogated off camera the whole time from shortly after the door was kicked in until she gave a recorded statement. Taylor also testified to this!
- Fact; In both of Taylor's recorded statements she is repeatedly stopped and told this (HIT MAN STORY) by the Detectives, who claim she told them this story off camera, before asking Taylor to repeat it back to them in her own words.
- Fact; Taylor testified that the Detectives told her this (HIT MAN STORY) before she gave her statements, and threatened her with a life sentence if she didn't make a statement to their liking.
While at the same time Taylor testified that the Detectives offered her freedom and \$55,000 as reward money for a statement that lead to, your son, Mark Sievers arrest.
- (NOTE) This is before Taylor repeated what she was told.
- Fact; The sheriff's office paid Taylor over \$19,000 and their payments started Feb. 23 2016 the day a warrant was made for Mark Sievers arrest.
- Fact; Nov 2017 Taylor at deposition said while she was in FL to testify at the grand jury indictment that she asked Detective Mike Downs for the \$55,000 he promised. That at that point payments started but she didn't know why she was being paid. At that point for way over a year, Taylor was being paid but said she did not know why. Even at deposition.

- Fact: Detective Mike Downs denies ever offering Taylor Shomaker money for making a statement. Mike Downs claims the money Taylor Shomaker is being paid is for witness relocation.
- Fact: Taylor testified she never relocated. Taylor testified to having the same phone number, some group of friends, some email, some Facebook, and said she still visits my family and speaks to me.
- Fact: Taylor was never charged with a crime despite admitting to a crime. Taylor at deposition said this was in exchange for her statement.
- Fact: Taylor at deposition and while on the stand admits to not dating me until after becoming pregnant. Taylor testified to not knowing she was pregnant until after I came home from FL. Taylor testified to me hurting her feelings by steadily seeing other women. Taylor testified that I never introduced her to my family or friends.
- Fact: Taylor said she purposely got pregnant by me while we are not dating. Taylor testified the pregnancy was planned.
- FACT: I use to make almost \$1,000 a week.
- ★ • FACT: Taylor has 4 kids by 4 guys and no job. Taylor lives completely off government handouts, and needs money!
- Fact: I was an ass hole to Taylor and she did all she could do to put me in prison.
- ★ • Fact: The detectives had no evidence of the (hitman story) they was telling and could not make an arrest until Taylor repeated it! ●

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- Fact: Taylor was never charged with a crime despite admitting to a crime. Taylor at deposition said this was in exchange for her statement.
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- Fact: Taylor said she purposely got pregnant by me while we are not dating. Taylor testified the pregnancy was planned.
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- Fact: I was an ass hole to Taylor and she did all she could do to put me in prison.
- ★ • Fact: The detectives had no evidence of the (hitman story) they was telling and could not make an arrest until Taylor repeated it! ●

- Fact; The Affidavits wrote July 2015 to search Wayne Wrights house alleged this (HIT MAN STORY).
- Fact; The Detectives tried using interrogation tactics on Angila Wright and Wayne Wright trying to Coerce them in to repeating the Hitman story, as their own testimony!
- Fact; Durring the detectives investigation they found a substantial amount of evidence that proves this Hitman theory of theirs is not correct. Yet the detectives did not change their theory.
- Fact; On July 2015 this (Hitman story) was Nation wide.
- Fact; Durring Wayne Wrights interrogation, in the month of August 2015, Wayne is threatened on camera with the needle and electric chair.

Then Wayne is told a very detailed story with over 53 details and offered a deal to repeat it back to them. The whole interrogation is about the detectives wanting to arrest Mark Stevers.

- Fact; Wayne Wright copied down the details of the story he was told on a peace of paper and then read from it durring a proffer, as Wayne scetked a deal.
- Fact; Not one part of Waynes testimony was not provided for him by Detective Mike Downs or Detective David Lebid.
- Fact; Mark Stevers was arrested only after Wayne repeated this very detailed (HIT MAN STORY) the detective have been telling for 8 months with out evidence.
- Fact; Wayne received a deal of 25 years and also clearly from the tone and vagueness of prosicuter Hunter Wayne made a deal for his Wife Angila Wright not to be charged.
These deals was in exchange for Waynes testimony.
- Fact; Prosicuter Hunter caught Wayne in lies repeatedly and Wayne never provided consistent storys. Also Waynes testimony contradicts almost all the true evidence in the case.

- Fact; Me and Taylor was interrogated for almost a full hour July 2015. The interrogation was not recorded.
- Fact; Both Detectives deny ever questioning me as a suspect July 2015. Both Detectives deny ever threatening my probation. Both Detectives deny telling me and Taylor this (Hitman story) of theirs!
- Fact; Taylor in her statement says she was laying in bed with me and questions me about being a (Hitman) ~~Because~~ Because of the story the Detectives told her July 2015!
- Fact; David Lebid did not record his interactions with me after placing hand cuffs on me on the side of the road in Aug.
- Fact; I was in David Lebid's custody around 5 hours August 2015 before the tape in the interrogation room starts. The film does not show me walking in to the room. The film does however show me telling Detective David Lebid that I had already been answering his questions.
- Fact; David Lebid testified that he didn't question me off tape just like he did not question Taylor off tape.
- Fact; Between Taylors two recorded statements she spent around 7 hours with both Detectives on the road heading to and from Boss MO from Bonnetterre MO and looking for a cell phone on the side of the road. That was not recorded!
- Fact; Taylor at deposition says she was questioned the whole time while they was together. Taylor also says she was questioned many hours off tape in the interrogation room on top of that before giving her 2nd statement.
- Fact; During Taylors second statement she speaks about info she gained from the detectives off tape about them following me and me pulling over letting them pass by. Also on the recording the detectives as they make Taylors statement for her the Detectives claim she told them that story off tape!

- Fact; Detective Mike Downs and David Lebid took statements from more than 8 people who all say Wayne told them only hours or days before leaving to FL that Wayne told them he was going to FL to work and stay at Mark Severs house including the morning he left!
- Fact; Waynes admitted every time he has ever been questioned, that he told more than 12 people he was going to work and stay at Marks house before leaving to go there.
- Fact; Waynes phone shows him texting people about this trip a month before leaving on it.
- Fact; Wayne Wright repeatedly told detectives that he couldn't medically drive to FL alone.
- Fact; Text on June 25 2015 show Wayne possibly going to have Criss Taylor drive him to FL.
- Fact; Wayne told Robert Wideman late Friday night and Wayne told Angela Wright and Taylor Shomaker Saturday morning were he was going as he was leaving.
- Fact; Sunday morning Wayne showed up to Marks house only long enough to learn Mark isn't home!
- Fact; Wayne repeatedly told the detectives that he forgot Mark was leaving town on a trip.
- Fact; Wayne while in FL took pictures sight seeing, bought souvenirs, and collected sea shells for people back in MO. Wayne did nothing to hide he was in FL.
- Fact; Angela Wright in a statement said Wayne often spoke about Teresa having a crush on him
- Fact; Wayne did not show back up to Mark and Teresa's house until some one was home to give him permission to stay there.
- (Question)
How friendly do you think Teresa was to Wayne when she found him parked in the driveway wanting to stay the night with her at the house while Marks away?
- Fact; In 2015 Wayne told the detectives he is BIPOLAR to the point of being mentally unemployable.
- Fact; Wayne testified that he was unarmed and randomly spontaneously grabbed the hammer off the deep freezer because it was the only thing in arms reach.
- Fact; Teresa unpacked the van but the stuff did not make it past the deep freezer.
- Fact; My lawyer argued Wayne and Teresa got in to an argument by the deep freeze and BIPOLAR Wayne snaped.
- ★ Fact; The evidence in the case does not match the story the two detectives threatend and bribed Taylor Shomaker and Wayne Wright in to repeating.
- Fact; My statement August 2015 should had stopped your sons arrest.

Jimmy Rodgers
South Bay Correctional and Rehabilitation Facility
P.O. Box 7171
South Bay, FL 33493

WEST PALM BCH FL 334

22 DEC 2020 PM 1 L



Bonnie Sievers
28144 Goby Trail
Bonita Springs, FL 34135

34135-846944



IN THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR LEE COUNTY, FLORIDA

STATE OF FLORIDA

CASE NUMBER: 15-CF-673B

v.

MARK D. SIEVERS

Defendant

AFFIDAVIT OF JIMMY RODGERS

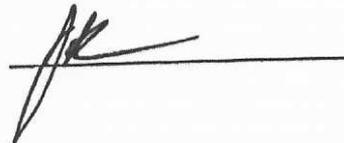
STATE OF FLORIDA

COUNTY OF Palm Beach

I, Jimmy Rodgers, having been duly sworn do hereby affirm and say:

1. My name is Jimmy Rodgers. My date of birth is April 11, 1990. My FDOC No. is A80713.
2. On December 19, 2020, I wrote a 6-page letter to Bonnie Sievers. I placed that letter in the mail on December 22, 2020.
3. I have reviewed a copy of that letter prior to signing this affidavit. The copy of the letter is attached to this affidavit.
4. In that letter I provided facts and information about Mark Sievers innocence in the murder of his wife in the above-styled case, in which I am also a co-defendant.
5. The contents of the letter are true.
6. I do not wish to make any additional statements, under oath or otherwise, until my own case in this matter becomes final.

FURTHER AFFIANT SAYETH NOT



Jimmy Rodgers

Sworn to and subscribed to before me this 13 day of December 2021, by Jimmy Rodgers, who produced Passport A80713 as identification.

Jimmy Rodgers. Arrival date = 2/3/2020



NOTARY PUBLIC STATE OF FLORIDA

My Commission Expires October 2, 2024



CERTIFICATE OF SERVICE

I certify that a copy has been served via e-mailed to Christina Pacheco at Christina.pacheco@myfloridalegal.com, and Paula.montlary@myfloridalegal.com and the Office of the Attorney General at cappapp@myfloridalegal.com, on this 27th day of December, 2021.

Respectfully submitted,

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