

IN THE SUPREME COURT OF FLORIDA

MARK D. SIEVERS,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

CASE NO. SC20-225  
L.T. No. 15-CF-673B  
DEATH PENALTY CASE

NOTICE CONCERNING THE APPELLATE RECORD

COMES NOW, the State of Florida, by and through the undersigned counsel, and hereby gives notice regarding the appellate record, as follows:

1. On May 22, 2020, Appellant, through his attorney, filed an unopposed motion to supplement the appellate record. The motion mentions videos referred to as Exhibit 3 and 3-A. Motion at 14.

2. This Court entered an order granting the motion to supplement the record on May 22, 2020.

3. On June 2, 2020, the circuit court entered an order directing the parties to submit stipulated copies of the trial exhibits 3, 3-A, 4, and 4-A.

4. It has come to undersigned counsel's attention that Exhibit 3 is a paper exhibit, not a video, and there is no Exhibit 3A. It appears that any references to video Exhibits 3

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and 3-A were mistakenly made during trial. Because undersigned counsel agreed to the motion to supplement the record, and it appears that the record cannot be supplemented with any video exhibits 3 and 3-A, counsel feels obligated to bring this matter to the Court's attention.

Respectfully submitted,

**ASHLEY MOODY  
ATTORNEY GENERAL**

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**COUNSEL FOR APPELLEE**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 12th day of June, 2020, I electronically filed the foregoing with the Clerk of the Court by using the e-portal filing system which will send a notice of electronic filing to the following: Karen Kinney, Assistant Public Defender, 10th Judicial Circuit Public Defender's Office, P.O. Box 9000 - Drawer PD, Bartow, Florida 33830, **appealfilings@pd10.org**, **kkinney@pd10.org**, **kstockman@pd10.org**; Office of Criminal Conflict and Civil Regional Counsel, Second

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/s/ Christina Z. Pacheco  
COUNSEL FOR APPELLEE