

IN THE CIRCUIT COURT OF THE  
SECOND JUDICIAL CIRCUIT IN AND  
FOR LEON COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

v.

Case No. 1990-CF-2795

DONALD DAVID DILLBECK,

Defendant.

EMERGENCY MOTION, CAPITAL CASE,  
DEATH WARRANT SIGNED; EXECUTION  
SET FOR FEBRUARY 23, 2023

NOTICE OF APPEAL

NOTICE IS GIVEN that Donald David Dillbeck, Defendant, appeals to the Florida Supreme Court the final order of this Court rendered on February 2, 2023. The nature of the order is a final order denying Defendant's Fourth Successive Rule 3.851 Motion for Post-conviction Relief and Motion for Stay of Execution.

Respectfully submitted,

/s/ Baya Harrison  
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A Certified Copy  
Attest:

**Gwendolyn Marshall**

Clerk & Comptroller  
Leon County, Florida



By                       
Deputy Clerk

/s/ Linda McDermott  
LINDA MCDERMOTT  
Fla. Bar No. 0102857  
Chief, Capital Habeas Unit

RECEIVED, 02/07/2023 09:24:22 AM, Clerk, Supreme Court

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*Counsel for Defendant*

**CERTIFICATE OF SERVICE**

WE HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic service to Senior Assistant Attorney General Charmaine Millsaps at [charmaine.millsaps@myfloridalegal.com](mailto:charmaine.millsaps@myfloridalegal.com), Assistant Attorney General Jason William Rodriguez at [jason.rodriguez@myfloridalegal.com](mailto:jason.rodriguez@myfloridalegal.com) and Assistant State Attorney Eddie D. Evans at [sao2\\_leoncountyfl.gov](mailto:sao2_leoncountyfl.gov) on February 6th, 2023.

/s/ Linda McDermott  
LINDA MCDERMOTT