

IN THE CIRCUIT COURT OF THE  
EIGHTEENTH JUDICIAL CIRCUIT  
IN AND FOR SEMINOLE COUNTY,  
FLORIDA

CASE NO. 79-653-CFB

**FILED**  
THOMAS D. HALL

**MAY 02 2001**

STATE OF FLORIDA,  
Plaintiff,

v.

GREGORY MILLS,

Defendant.

CAPITAL CASE  
DEATH WARRANT SIGNED  
EXECUTION STAYED May 1, 2001

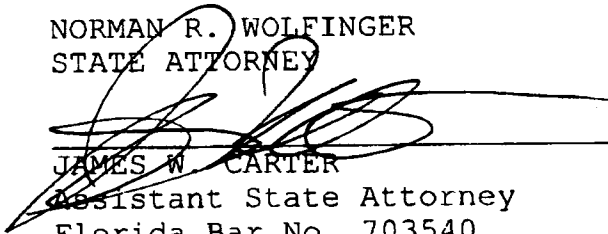
CLERK, SUPREME COURT  
BY \_\_\_\_\_

EMERGENCY NOTICE OF APPEAL

NOTICE IS GIVEN that the State of Florida, Plaintiff/Appellant, appeals to the Supreme Court of Florida the order of this court rendered on May 1, 2001 in the above-styled cause. The nature of the order appealed is the final order granting relief on defendant's motion to vacate judgment and conviction and sentence pursuant to Florida Rule of Criminal Procedure 3.850, setting aside the sentence of death, ordering a hearing pursuant to *Huff v. State*, 622 So. 2d 982 (Fla. 1993) and staying the execution scheduled for May 2, 2001 until further order of this court.<sup>1</sup> All parties in this cause are called upon to take notice of the entry of this appeal.

Respectfully submitted,

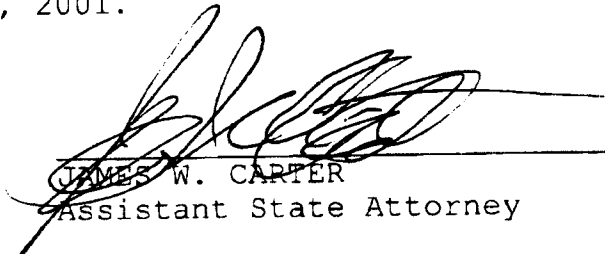
NORMAN R. WOLFINGER  
STATE ATTORNEY

  
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JAMES W. CARTER  
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<sup>1</sup> The warrant period runs from 12:00PM April 30th through 12:00PM May 7, 2001.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Facsimile/U.S. Regular Mail to Todd G. Scher, Litigation Director, Office of the Capital Collateral Regional Counsel - South, 101 N.E. 3rd Avenue, Suite 400, Ft. Lauderdale, Florida 33301; Kenneth S. Nunnelley, and Judy Taylor Rush, Assistant Attorneys General, 444 Seabreeze Avenue, Suite 400, Daytona Beach, Florida 32118; Tanya Carroll, Deputy Clerk, Supreme Court of Florida, 500 South Duval Street, Tallahassee, Florida 32399-1927; and the Honorable O.H. Eaton, Jr., Circuit Judge, Eighteenth Judicial Circuit, P.O. Drawer C, Sanford, Florida 32772-0659, this 31<sup>st</sup> day of May, 2001.

  
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JAMES W. CARTER  
Assistant State Attorney