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IN THE CIRCUIT COURT FOR THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR FLAGLER COUNTY, FLORIDA

STATE OF FLORIDA,

CASE NO.: 2013 CT 000559

Plaintiff,

vs.

HOWARD MARCELLUS HOLLEY,

Defendant.

FILED IN THE OFFICE OF THE
CLERK OF CIRCUIT COURT
Flagler County, Florida
AUG 27 2013
By _____
Paper No. _____
Deputy Clerk

NOTICE OF APPEARANCE

Please take notice that the undersigned attorney hereby appears as counsel for the Defendant in the above-styled cause of action for all purposes therein.

**ENTRY OF CONDITIONAL PLEA OF NOT GUILTY, WAIVER OF
ARRAIGNMENT AND DEMAND FOR JURY TRIAL**

The undersigned attorney on behalf of the above-named Defendant hereby enters a Plea of Not Guilty and reserves all rights for Defendant, including a trial by jury.

NOTICE OF INTENT TO PARTICIPATE IN DISCOVERY

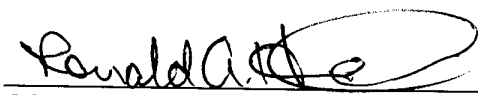
The Defendant, by and through his undersigned attorney, and pursuant to Rule 3.220, F.R.Cr.P., hereby serves notice of his intent to participate in discovery, and request the State to disclose to the undersigned attorney, and permit him to inspect, copy, test and photograph any and all materials within the State's possession and control pertaining to the issue of this Defendant's guilt herein as prescribed by Rule 3.220(b)(2), F.R.Cr.P. and Brady v. Maryland, 373 U.S. 83 (1963). Additionally, but not exclusively, the defendant request that the prosecutor disclose to defense counsel any and all photographs in the prosecutor or his/her offices' possession and relating to the above styled case, as well as the results of all medical and police examinations of any materials related to the above styled case.

In addition, defendant requests that the prosecutor disclose to defense counsel all police and investigative reports, any prior inconsistent statements of state witnesses; promises or assurances to any witnesses of leniency or reward in other criminal prosecutions or investigations; threats to prosecute any witness; all information pertaining to pending or prior formal charges or prior conviction of any state witness; the prior criminal record of the defendant; all information regarding the interest of any state witness in the outcome of the instant case; all information regarding bias or prejudice of any state witness toward defendant; whether any eyewitness, even though not called by the state, has identified someone other than the defendant as perpetrator of the crime and descriptions of the perpetrator of the crime which do not match the defendant.

CERTIFICATE OF SERVICE

I **HEREBY CERTIFY** that a copy of the foregoing has been delivered by hand delivery to the Office of the State Attorney, Kim C. Hammond Justice Center, 1769 E. Moody Blvd., Bldg. #1, Bunnell, FL 32110 this 27th day of August 2013.

Respectfully submitted,

 for
41144

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