

IN THE CIRCUIT COURT OF THE
FOURTEENTH JUDICIAL CIRCUIT, IN
AND FOR BAY COUNTY, FLORIDA

CASE NO.: 1997-431G

STATE OF FLORIDA

VS.

WILLIAM SYBERS

NOTICE TO THE COURT

There are no issues pending before the Court. This case was disposed of by a guilty plea entered by the defendant.

The purpose of this filing is to notify the Court and the Defendant that recent scientific testing conducted by ~~Florida~~ Medical Services and the Federal Bureau of Investigations laboratories has discovered that the findings specifically related to this Defendant and the testimony of the experts from each of these laboratories, though believed to be correct at the time of the testimony, can no longer be relied upon. The findings of the presence of succinylmonochohline in the specimens tested are believed to be accurate and correct. However, the opinions that succinylmonochohline proves, to a scientific certainty, the prior presence of or injection of succinylchohline are not correct.

This new finding has no bearing on the plea entered by the Defendant. This finding was discovered after the plea. The plea was entered at a time when the previously believed testing results had been held to be inadmissible.

The State believes this disclosure is not required by any possible discovery or Brady principle. It is disclosed as a matter of courtesy and to inform the Court that opinions reviewed and relied upon by the State and the Court, in its earlier Frye order, have been proven to not be reliable.

Respectfully submitted,



Harry L. Shorstein
Bar Number: 093316
Assigned State Attorney
330 E. Bay Street
Jacksonville, FL 32202
904-630-2493

