

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR HILLSBOROUGH COUNTY
CRIMINAL JUSTICE DIVISION

STATE OF FLORIDA

CASE NO.: 22-CF-10261

V.

DIVISION: G

FATIMA GARCIA AVILA

NOTICE OF INTENT TO SEEK THE DEATH PENALTY

The State of Florida, by and through the undersigned Assistant State Attorney gives notice to the defendant of the State's intent to seek the death penalty for the murders of [REDACTED] and [REDACTED] [REDACTED] pursuant to F.R.C.P. 3.202 and Florida Statute 782.04(1)(b).

In the event the defendant is found guilty of or pleads guilty to a capital felony in this case, in any subsequent penalty proceeding, the State intends to prove and has reason to believe it can prove beyond a reasonable doubt the following aggravating factors:

Count 1: (Premeditated first degree murder) (victim— [REDACTED]) (V) and

Count 8: (Premeditated first degree murder (victim— [REDACTED]) (V)

1. Florida Statute 921.141(6)(b), The capital felony was committed by a person previously convicted of another capital felony or of a felony involving the use or threat of violence to the person.
2. Florida Statute 921.141(6)(h), The capital felony was especially heinous, atrocious, or cruel (victim— [REDACTED]) (V) count 8.
3. Florida Statute 921.141(6)(i), The capital felony was a homicide and was committed in a cold, calculated, and premeditated manner without any pretense of moral or legal justification.

The State of Florida reserves the right to amend this notice to include additional aggravating factors should investigation, discovery or subsequent events reveal additional facts that would support a

reasonable belief that said additional aggravating factors can be proven beyond a reasonable doubt.

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Intent to Seek the Death Penalty has been furnished by email to Attorney for the Fatima Garcia Avila, the Office of the Public Defender, 700 E. Twiggs Street, Tampa, FL 33602, PDDISCOVERY@PD13.STATE.FL.US, this 7th day of October, 2022.

Respectfully submitted,

SUSAN S. LOPEZ
STATE ATTORNEY

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