



**RON DESANTIS**  
GOVERNOR

July 18, 2025

Warden David Allen  
Florida State Prison  
7819 N.W. 228th Street  
Raiford, Florida 32036-1000

Re: Execution Date for Kayle Barrington Bates, DC# 088568

Dear Warden Allen:

Enclosed is the death warrant that I signed to carry out the sentence for Kayle Barrington Bates as well as certified copies of his judgment and sentence. I have designated the week beginning at 12:00 noon on Tuesday, August 19, 2025, through 12:00 noon on Tuesday, August 26, 2025, for the execution. I have been advised that you have set the date and time of execution for Tuesday, August 19 at 6:00 p.m.

This letter is incorporated into and made a part of the death warrant identified above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ron DeSantis".

Ron DeSantis  
Governor

Enclosures

DEPARTMENT OF STATE  
TALLAHASSEE, FL

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FILED

Warden David Allen  
July 18, 2025  
Page 2

cc:

Honorable Carlos G. Muñiz  
Chief Justice  
Supreme Court of Florida  
500 S. Duval Street  
Tallahassee, Florida 32399

Honorable Christopher N. Patterson  
Chief Judge, 14th Judicial Circuit  
300 E. 4th Street  
Panama City, Florida 32401

Secretary Ricky Dixon  
Department of Corrections  
501 S. Calhoun Street  
Tallahassee, Florida 32399-2500

C. Suzanne Bechard  
Associate Deputy Attorney General  
Office of the Attorney General  
The Capitol, FL-01  
Tallahassee, Florida 32300-0001

Eric Pinkard  
Capital Collateral Regional Counsel  
12973 N. Telecom Parkway  
Temple Terrace, Florida 33637

James Lawrence Driscoll  
CCRC-South  
110 SE 6th St Ste 701  
Fort Lauderdale, FL 33301-5001

Office of Executive Clemency  
4070 Esplanade Way  
Building C, Rm. 229  
Tallahassee, Florida 32399-2450

Kayle Barrington Bates, DC# 088568  
Union Correctional Institution  
7819 N.W. 228th Street  
Raiford, Florida 32026-4000



## STATE OF FLORIDA

**JAMES UTHMEIER**  
**ATTORNEY GENERAL**

July 18, 2025

The Honorable Ron DeSantis  
Governor  
The Capitol  
Tallahassee, Florida 32399—0001

RE: Kayle Barrington Bates

Dear Governor DeSantis:

Kayle Barrington Bates was convicted of first-degree murder, kidnapping, armed robbery, and attempted sexual battery for the June 14, 1982, murder of Janet White. The evidence established that Bates abducted the victim from her office, took her into some woods behind the building, attempted to rape her, stabbed her to death, and tore a diamond ring from one of her fingers. The trial court sentenced Bates to death for the murder on January 21, 1983.

The Florida Supreme Court affirmed Bates' convictions, *Bates v. State*, 465 So. 2d 490 (Fla. 1985), and ultimately affirmed his death sentence. *Bates v. State*, 750 So. 2d 6 (Fla. 1999), *cert. denied*, *Bates v. Florida*, 531 U.S. 835 (2000).

Bates unsuccessfully sought postconviction relief and DNA testing in state court. *See Bates v. State*, 3 So. 3d 1091 (Fla. 2009) (denial of postconviction relief and DNA testing); *Bates v. State*, 218 So. 3d 426 (Fla. 2017) (affirming the denial of Bates' second motion for DNA testing); *Bates v. State*, 238 So. 3d 98 (Fla. 2018), *cert. denied*, *Bates v. Florida*, 586 U.S. 845 (2018).

Bates also unsuccessfully sought federal habeas relief. The Eleventh Circuit affirmed the denial of habeas relief. *Bates v. Sec'y, Fla. Dept. of Corr.*, 768 F.3d 1278 (11th Cir. 2014), *cert. denied*, *Bates v. Jones*, 577 U.S. 839 (2015).

Bates' motion seeking to interview a juror was denied and the Florida Supreme Court affirmed the lower court's ruling. *Bates v. State*, 398 So. 3d 406 (Fla. 2024), *cert. denied*, *Bates v. Florida*, No. 24-6875, 2025 WL 1787777 (U.S. June 30, 2025).

The record has been reviewed and there are no stays of execution issued by any court of competent jurisdiction in this cause. Based upon the above-referenced summary of litigation affirming the judgments and sentences of death imposed for first-degree murder, the record is legally sufficient to support the issuance of a death warrant.

Sincerely,

A handwritten signature in blue ink, appearing to read "James Uthmeier". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "Uthmeier".

James Uthmeier  
Attorney General

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

STATE OF FLORIDA,

\*\* OFFICIAL RECORDS \*\*  
BOOK: 1578 PAGE: 328

Plaintiff,

vs.

CASE NO. 82-661

KAYLE B. BATES,

Defendant.

-----  
JUDGMENT

THE DEFENDANT, Kayle B. Bates, being before this Court represented by Thomas Dunn and Harold Richmond, his attorneys of record, and having been tried and found guilty of the crimes of

Murder in the First Degree

Attempted Sexual Battery, and

Kidnapping

on the 11th day of March, 1983, and thereafter pursuant to remand by the Florida Supreme Court for a new penalty phase hearing for the Murder in the First Degree charge, a jury of twelve of his peers rendered on the 25th day of May, 1995, an advisory sentence of death by a vote of nine (9) to three(3) for the Murder in the First Degree charge. No cause being shown why the Defendant should not be adjudicated guilty, it is therefore

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CLERK OF DISTRICT COURT  
BAY COUNTY, FLORIDA

ORDERED that the Defendant, Kayle B. Bates, is hereby adjudicated guilty of the crime of Murder in the First Degree.

SENTENCE

AS TO the charge of Murder in the First Degree, the Defendant, Kayle B. Bates, being personally before the Court accompanied by

his attorneys, Thomas Dunn and Harold Richmond, and having been adjudicated guilty herein and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence and to show cause why he should not be sentenced as provided by law, and no cause being shown, and the Court having considered the aggravating and mitigating circumstances presented in this case, finds that the following aggravating circumstances exist beyond a reasonable doubt.

1. The crime for which the Defendant, Kayle B. Bates, is to be sentenced was committed while he was engaged in the commission of or attempt to commit Kidnapping or Attempted Sexual Battery, or flight after committing or attempting to commit the crime of Kidnapping or Attempted Sexual Battery.

2. The capital felony was committed for pecuniary gain. The Defendant broke into the State Farm office where the victim was employed with the intent to steal. The evidence establishes that just prior to the crime, the Defendant was encountering increased financial pressure due to a loss of an anticipated promotion, imminent birth of a child and the recent purchase of a new home. Although the arrival of the victim disrupted his plan, the evidence further establishes that during the commission of this crime the Defendant forcibly removed the victim's diamond wedding ring which was recovered from the Defendant after his arrest.

3. The capital felony was especially heinous, atrocious or cruel. The Circumstances of this killing indicated a consciousnessless and pitiless regard for the victim's life and was unnecessarily



fatal stab wounds occurred while the victim was lying on her back in the wooded area with her head forward so as to be able to see her assailant as the fatal stab wounds were inflicted by him. The victim had to be alive and conscious during this final attack because the evidence also establishes the victim had her arms in an upward position at the time the stab wounds were inflicted. She would then have been conscious for one to two minutes after infliction of the fatal stab wounds and fully aware of what had happened and was happening to her. Her death then occurred within five minutes after the stab wounds were inflicted due to loss of blood.

The Court finds the following statutory mitigating circumstances were presented for the Court's consideration:

1. The Defendant has no significant history of prior criminal activity. The Court finds that this mitigating statutory circumstance does exist and gives it significant weight.

2. The capital felony was committed while the Defendant was under the influence of extreme emotional disturbance. The evidence of this mitigating circumstance is in dispute. The Defendant has presented the testimony of two doctors, Dr. Larson and Dr. McMahon, that this statutory mitigating circumstance does apply and the State has presented the testimony of one doctor, Dr. McLaren, that this statutory circumstance does not apply. Both of the Defendant's doctors indicated that the Defendant did not suffer from a major mental illness. Dr. Larson testified the Defendant suffers from a low level anxiety disorder with a low range IQ of

88. Dr. McMahon concurs in this finding. Both of the Defendant's doctors testified the Defendant was emotionally over-reacting and was extremely angry, threatened, disorganized and impulsive and not thinking when this murder occurred. Dr. McLaren disagreed with the conclusions of the other two doctors. In reaching his opinion, Dr. McLaren talked to the persons who had contact with the Defendant immediately after the murder as well as others who knew or worked with the Defendant. Dr. McLaren listed a number of reasons to support his opinion that the Defendant was not under the influence of extreme emotional disturbance at the time of the murder. Those reasons are:

1. The Defendant has no prior history of mental illness before the offenses.
2. The Defendant has received no subsequent treatment for mental illness.
3. The Defendant denied being under any unusual pressure during the time of the alleged offense.
4. No signs of mental illness were reported by arresting Officer Cioeta.
5. No signs of mental illness were noted by then Investigator Guy Tunnell.
6. No signs of mental illness were noted by interrogating Investigator Frank McKeithen.
7. No unusual behavior was noted on the day of the offenses by Jack Howell, Sr.
8. No signs of mental illness were reported by the Defendant's ex-wife.
9. The Defendant reports being happily married at the time of the offenses.
10. The Defendant reports being rather

happy at the time of the offense reporting having just bought a new home and expecting a second child.

11. No signs of mental illness were noted during a 1983 psychological evaluation.
12. No signs of mental illness were reported by Bay County Jail security staff.
13. No signs of mental illness were reported by the jail nurse.
14. No signs of mental illness were noted by his original defense counsel.
15. The Defendant is not mentally retarded.
16. The Defendant is a high school graduate.
17. The Defendant served in the Florida National Guard for about five years before the offenses with no signs of mental illness.
18. The Defendant worked for the same company for about two years prior to the time of the offense without showing signs of mental illness.
19. The Defendant served actively in the National Guard during the two days prior to the homicide showing no signs of mental illness.
20. The Defendant was working on the day of the homicide.
21. The Defendant concealed the victim's body out of plain view prior to the arrival at the crime scene by law enforcement officers.
22. The Defendant disposed of the murder weapon after killing the victim.
23. The Defendant fled the immediate crime scene.
24. The Defendant gathered cattails as a cover story for being in the area of the crime scene.
25. The Defendant lied about the origin of blood on his clothing initially.

26. The Defendant's initial statement showed no disorganized speech.
27. The Defendant initially lied about the victim's ring belonging to his own wife.
28. The Defendant lied about breaking his watch at a location other than the crime scene.
29. There were no other known instances of alleged uncontrolled rage in the Defendant's history.
30. The company truck driven by the Defendant was concealed from plain view near the crime scene.

In weighing this conflict in the evidence, the Court finds Dr. McLaren's opinion to be compelling.

Under the totality of the facts in this case, the Defendant's statements, and the testimony of Dr. McLaren, this Court is not reasonably convinced that the Defendant was under the influence of extreme emotional disturbance at the time of the murder. The Court therefore finds that this statutory mitigating factor does not exist. However, this Court will consider Dr. Larson's and Dr. McMahan's testimony in finding that the Defendant was under the influence of some (emphasis supplied) emotional disturbance at the time of the murder and that this does exist as a non-statutory mitigating factor. The Court will give it significant weight in the weighing process.

3. The capacity of the Defendant to conform his conduct to the requirements of the law was substantially impaired. Again, Dr. Larson and Dr. McMahan testified on behalf of the Defendant that this circumstance does exist and Dr. McLaren testified on behalf of the State that this circumstance does not exist. There is no

evidence to suggest the Defendant was under the influence of any drugs or alcohol at the time this murder occurred. The Defendant's doctors testified the Defendant's anxiety would become so disorganizing that it would overwhelm all of his cognitive functions. In a confrontation they stated he would become unwrapped and revert to aggressive behavior. However, Dr. Larson's MMPI results show the Defendant with a mild-moderate level of anxiety with unremarkable results. His social history was adequate with a "get by" performance level. Both of the Defendant's doctors testified the Defendant knew what he was doing was wrong and he could appreciate the criminality of his conduct but that he would not conform to what he knew was wrong. Dr. McLaren disagreed using the same factors that show the Defendant was not acting under extreme emotional disturbance. Again, the testimony and findings of Dr. McLaren and the facts of the crime, together with the Defendant's statements, cause this Court to be reasonably convinced that the Defendant's capacity to conform his conduct to the requirements of the law was not substantially impaired. However, the Court will consider the testimony of Dr. Larson and Dr. McMahon in finding the existence of a non-statutory mitigating circumstance that the Defendant's capacity to conform his conduct to the requirements of the law was impaired to some degree. The Court will give this non-statutory circumstance significant weight in the weighing process.

4. The age of the Defendant at the time of the crime. The Defendant was 24 years old at the time the murder was committed.

His IQ was in the low average range. He is not retarded. He functions academically at a 9 - 10 year old level but his social history revealed an adequate, "get by" performance level. He was also working, supporting his family and serving in the military. The Defendant's age at the time of the crime does exist as a mitigating factor and the Court will give it little weight in the weighing process.

The Defendant, Kayle B. Bates, has offered evidence concerning the following non-statutory mitigating factors to be considered by the Court:

1. The Defendant's family background. The evidence establishes the Defendant was a loving son and stepson and a caring brother. The evidence also establishes the Defendant was taught to be respectful, obedient and well behaved during childhood and he demonstrated those traits as a youth by participating in school, athletics, church and Boy Scout activities in Riviera Beach, Florida. The Defendant was a loyal friend. The Court finds these circumstances do exist, but in light of the passage of time between the Defendant leaving this environment and the occurrence of the crime, the Court will give these mitigating circumstances some weight.

2. The Defendant volunteered for service in the Florida National Guard. The Defendant did volunteer for this service and the Court finds this circumstance does exist and gives it little weight in the weighing process.

3. The Defendant was a dedicated soldier and was a patriot.

This circumstance does exist and the Court will give it little weight.

4. The Defendant has a low average IQ. All the doctors agree on the Defendant's IQ and this circumstance does exist. The Court has earlier indicated it has considered as non-statutory mitigating factors the Defendant's capacity to conform his conduct was somewhat impaired and that he was acting under some emotional disturbance. A component of each of those circumstances included a consideration of the Defendant's IQ. Therefore, this Court will give this circumstance little additional weight in the weighing process.

5. The Defendant loves his wife and children and was a supportive father. This fact does exist, and the Court gives it some weight.

6. The Defendant was a good employee while working for the Knight Paper Company. This fact does exist and the Court gives it little weight.

The Court has considered the evidence presented in support of each of these statutory and non-statutory mitigating circumstances and, in weighing all of the mitigating factors found by the Court to exist against the aggravating factors that exist, the Court finds, as did the advisory jury, that the aggravating factors outweigh all of the mitigating factors.

There being no legal cause why the judgment and sentence of the law should not be pronounced;

IT IS THE SENTENCE OF THE LAW that the Defendant, Kayle B.


Bates, be taken into the custody of the Department of Corrections and there, at an appointed place and time, be put to death for the murder of the victim, Janet Renee White.

May God have mercy on your soul.

You have an automatic appeal to the Supreme Court of Florida from the judgment of guilt and the sentence the Court has imposed and the assistance of counsel in taking said appeal at the expense of the State.

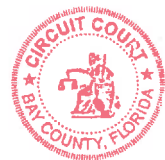
The Sheriff of Bay County is hereby ordered and directed to deliver the Defendant to the Department of Corrections together with a copy of this Judgment and Sentence.

DONE AND ORDERED in open court this 25<sup>th</sup> day of July, 1995 at Panama City, Bay County, Florida.



DON T. SIRMONS, Circuit Judge

FILED  
JUL 25 3 55 PM '95  
CLERK OF CIRCUIT COURT  
BAY COUNTY, FLORIDA



A CERTIFIED TRUE COPY  
BILL KINSAUL CLERK  
OF THE CIRCUIT COURT  
By Billy Kincaul  
Deputy Clerk











State of Florida  
v.

**\*\* OFFICIAL RECORDS \*\***  
BOOK: 1578 PAGE: 339

Kayle Barrington Bates  
Defendant

Case Number 82-661

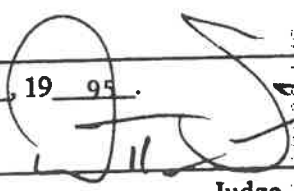
**FINGERPRINTS OF DEFENDANT**

1. Right Thumb	2. Right Index	3. Right Middle	4. Right Ring	5. Right Little
				
6. Left Thumb	7. Left Index	8. Left Middle	9. Left Ring	10. Left Little
				

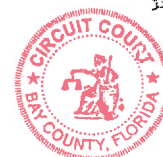
Fingerprints taken by: ND Williams 236 Bailiff  
Name Title

I HEREBY CERTIFY that the above and foregoing are the fingerprints of the defendant, Kayle Barrington Bates, and that they were placed thereon by the defendant in my presence in open court this date.

DONE AND ORDERED in open court in Bay County, Florida, this July day of 25th, 19 95.

  
Judge

Don T. Sirmmons



A CERTIFIED TRUE COPY  
BILL KINSAUL CLERK  
OF THE CIRCUIT COURT

By Deborah Thomas  
Deputy Clerk

RCD Jul 31 1995 08:14am  
HAROLD BAZZEL, CLERK

559

RATES. KAYLE

~~Page 2~~ 1A

# DEATH WARRANT

## STATE OF FLORIDA

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WHEREAS, KAYLE BARRINGTON BATES, on or about the 14th day of June, 1982, murdered Janet Renee White; and

WHEREAS, KAYLE BARRINGTON BATES, on the 20th day of January, 1983, was convicted of first degree murder, kidnapping, attempted sexual battery, and robbery with a deadly weapon and, on the 25th day of July, 1995, was sentenced to death for the murder of Janet Renee White; and

WHEREAS, on the 31st day of January, 1985, the Supreme Court of Florida affirmed the convictions of KAYLE BARRINGTON BATES and, on the 7th day of October, 1999, affirmed the death sentence of KAYLE BARRINGTON BATES; and

WHEREAS, on the 30th day of January, 2009, the Supreme Court of Florida affirmed the trial court order denying KAYLE BARRINGTON BATES's initial Motion for Postconviction Relief and denied his Petition for Writ of Habeas Corpus; and

WHEREAS, on the 28th day of September, 2012, the United States District Court for the Northern District of Florida denied KAYLE BARRINGTON BATES's federal Petition for Writ of Habeas Corpus; and

WHEREAS, on the 5th day of September, 2014, the United States Court of Appeals for the Eleventh Circuit affirmed the denial of KAYLE BARRINGTON BATES's federal Petition for Writ of Habeas Corpus; and

WHEREAS, further postconviction motions and petitions filed by KAYLE BARRINGTON BATES have been denied and the denials affirmed on appeal; and

WHEREAS, executive clemency for KAYLE BARRINGTON BATES, as authorized by Article IV, Section 8(a), of the Florida Constitution, was considered pursuant to the Rules of Executive Clemency, and it has been determined that executive clemency is not appropriate; and

WHEREAS, attached hereto is a certified copy of the record of the conviction and sentence pursuant to section 922.052, Florida Statutes.

NOW, THEREFORE, I, RON DESANTIS, as Governor of the State of Florida and pursuant to the authority and responsibility vested in me by the Constitution and Laws of Florida, do hereby issue this warrant, directing the Warden of the Florida State Prison to cause the sentence of death to be executed upon KAYLE BARRINGTON BATES, in accordance with the provisions of the Laws of the State of Florida.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, this 18th day of July, 2025.



  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE

2025 JUL 18 PM 3:41  
DEPARTMENT OF STATE  
TALLAHASSEE, FL

FILED