



RON DeSANTIS
GOVERNOR

November 18, 2025

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

Re: Execution Date for Frank Athen Walls, DC# 112850

Dear Warden Allen:

Enclosed is the death warrant that I signed to carry out the sentence for Frank Athen Walls, as well as certified copies of his judgment and sentence. I have designated the week beginning at 12:00 noon on Thursday, December 18, 2025, through 12:00 noon on Thursday, December 25, 2025, for the execution. I have been advised that you have set the date and time of execution for Thursday, December 18 at 6:00 p.m.

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

Sincerely,

A large, stylized handwritten signature in dark ink, appearing to read "RDS".

Ron DeSantis
Governor

Enclosures

2025 NOV 18 PM 4:16
RECEIVED
TALLAHASSEE, FL
DEPARTMENT OF STATE

FILED

Warden David Allen
November 18, 2025
Page 2

cc:

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

Honorable John Simon
Chief Judge, 1st Judicial Circuit
M.C. Blanchard Judicial Building
190 W. Government Street
Pensacola, Florida 32502

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

Marilyn Muir
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

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

Frank Athen Walls, DC# 112850
Union Correctional Institution
7819 N.W. 228th Street
Raiford, Florida 32083



STATE OF FLORIDA

JAMES UTHMEIER
ATTORNEY GENERAL

November 18, 2025

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

RE: Frank A. Walls

Dear Governor DeSantis:

In the early morning hours of July 22, 1987, Frank Walls entered the mobile home shared by Edward Alger and Ann Peterson. Walls forced Alger to lie on the floor and made Peterson tie Alger's hands behind his back and his ankles together. Walls then forced Peterson to lie on the floor, and he tied her up in the same manner. Alger got loose from his binding and attacked Walls. During the fight, Walls forced Alger to the floor and slashed his throat. When Alger continued to struggle, Walls shot him in the head several times. Walls then turned his attention to Peterson who was still bound and gagged and was crying. After a brief struggle, Walls shot Peterson in the head, forced her face into a pillow, and shot her in the head a second time. A jury found Walls guilty as charged on both murder counts and recommended a death sentence for the murder of Peterson.

The Florida Supreme Court reversed Walls' convictions and sentence and remanded for a new trial. *Walls v. State*, 580 So. 2d 131 (Fla. 1991). On remand, a jury found Walls guilty of both first-degree murder counts and again recommended a death sentence for the murder of Peterson. The Florida Supreme Court affirmed the convictions and sentence. *Walls v. State*, 641 So. 2d 381 (Fla. 1994), *cert. denied*, *Walls v. Florida*, 513 U.S. 1130 (1995).

In the decades that followed, Walls engaged in extensive postconviction litigation in both state and federal court. *See Walls v. State*, 926 So. 2d 1156 (Fla. 2006) (affirming

denial of postconviction relief); *Walls v. State*, 3 So. 3d 1248 (Fla. 2008) (affirming denial of successive postconviction motion); *Walls v. McNeil, Sec'y, Dep't. of Corr.*, 2009 WL 3187066 (N.D. Fla. Sept. 30, 2009) (denial of federal habeas relief); *Walls v. McNeil, Sec'y, Dep't. of Corr.*, 2009 WL 3822951 (N.D. Fla. November 16, 2009) (certificate of appealability granted in part); *Walls v. Buss, Sec'y, Dep't. of Corr.*, 658 F.3d 1274 (11th Cir. 2011) (affirming denial of federal habeas relief,) *cert. denied*, *Walls v. Tucker, Sec'y. Dep't. of Corr.*, 566 U.S. 976 (2012); *Walls v. State*, 213 So. 3d 340 (Fla. 2016) (remanded for evidentiary hearing), *cert. denied*, *Florida v. Walls*, 583 U.S. 906 (2017); *Walls v. State*, 238 So. 3d 96 (Fla. 2018) (affirming denial of postconviction motion filed pursuant to *Hurst v. Florida*, 577 U.S. 92 (2016) and *Hurst v. State*, 202 So. 3d 40 (Fla. 2016)); *Walls v. State*, 361 So. 3d 231 (Fla. 2023) (affirming summary denial of successive postconviction motion), *cert. denied*, *Walls v. Florida*, 144 S. Ct. 174 (2023); *In re Walls*, 144 S. Ct. 253 (2023) (No. 22-7897)(petition for writ of habeas corpus denied).

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 judgment and sentence of death imposed for first-degree murder, the record is legally sufficient to support the issuance of a death warrant.

Sincerely,



James Uthmeier
Attorney General

3
☐ PROBATION VIOLATION
(Check if Applicable)

IN THE CIRCUIT COURT,
FIRST JUDICIAL CIRCUIT,
IN AND FOR
OKALOOSA COUNTY, FLORIDA

DIVISION A

STATE OF FLORIDA

CASE NUMBER: 87-00856-CFA

- VS -

WALLS, FRANK ATHEN
Defendant

** OFFICIAL RECORDS **
BK 1636 PG 466

J U D G M E N T

The Defendant WALLS, FRANK ATHEN, being personally
before this Court represented by PUBLIC DEFENDER, his attorney of
record and having:

- ☒ Been tried and found guilty of the following crime(s).
☐ Entered a plea of guilty to the following crime(s).
☐ Entered a plea of nolo contendere to the following crime(s).

COUNT	CRIME	OFF STATUTE NUMBER(S)	DEGREE OF CRIME	CASE NUMBER
001	BURGLARY OF STRUCTURE	81002	T	87-00856-CFA
004	1ST DEGREE MURDER	78204 1A	C	87-00856-CFA
005	1ST DEGREE MURDER (Premeditated) & FELONY	78204 1A	C	87-00856-CFA
006	BURGLARY WHILE ARMED	81002	F	87-00856-CFA
008	KIDNAPPING	78701 2	F	87-00856-CFA
009	KIDNAPPING	78701 2	F	87-00856-CFA
010	PETIT THEFT 1ST OFFENSE	812014	S	87-00856-CFA

and no cause having been shown why the defendant should not be adjudicated
guilty, IT IS ORDERED THAT the defendant is hereby ADJUDICATED GUILTY of the
crime(s).

The Defendant is hereby ordered to pay the sum of twenty dollars (\$20.00)
pursuant to F.S. 960.20 (Crimes Compensation Trust Fund). The Defendant is
further ordered to pay the sum of three dollars (\$3.00) as a court cost
pursuant to F.S. 943.25(3).

- ☐ The defendant is ordered to pay an additional sum
of two dollars (\$2.00) pursuant to F.S. 943.25 (8).
(This provision is optional; not applicable unless
checked).

(Check if applicable) ☐ The defendant is further ordered to pay a fine in the sum of \$_____ pursuant to F.S. 775.0835. (This provision refers to the optional fine for the Crimes Compensation Fund, and is not applicable unless checked and completed. Fines imposed as part of a sentence pursuant to F.S. 775.083 are to be recorded on the sentence page(s).

☐ The Court hereby imposes additional court costs in the sum of \$_____

** OFFICIAL RECORDS **
BK 1686 PG 467

DEFENDANT

CASE NO:

87-856

Imposition of Sentence ☐
Stayed and Withheld
(Check if Applicable)

The Court hereby stays and withholds the imposition of sentence as to count(s) _____ and places Defendant on probation for a period of _____ under the supervision of the Department of corrections (Conditions of probation set forth in separate order).

Sentence Deferred ☐
Until Later Date
(Check if Applicable)

The Court hereby defers imposition of sentence until _____ ** OFFICIAL RECORDS **
(date) BK 1686 PG 468

The Defendant in Open Court was advised of his right to appeal from this Judgment by filing notice of appeal with the Clerk of Court within thirty days following the date sentence is imposed or probation is ordered pursuant to this adjudication. The Defendant was also advised of his right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

DONE AND ORDERED in Open Court at OKALOOSA County, FLORIDA this 18th day of June, A.D., 1992.

G. Robert Barron
CIRCUIT JUDGE
G. ROBERT BARRON

FINGERPRINTS OF DEFENDANT

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

Fingerprints taken by:

Robert M. Clunkinghead Bailiff
NAME AND TITLE

DONE AND ORDERED in Open Court at OKALOOSA County, FLORIDA this 18th day of June, A.D., 1992.
I HEREBY CERTIFY that the above and foregoing fingerprints are the fingerprints of the Defendant, Frank A. Walls and that they were placed thereon by said defendant in my presence in Open Court this date.

G. Robert Barron
CIRCUIT JUDGE
G. ROBERT BARRON

Defendant WALLS, FRANK ATHEN
Case No: 87-00856-CFA

S E N T E N C E

** OFFICIAL RECORDS **

BK 1686 PG 469

(As to Count 001)

The Defendant, being personally before this Court, accompanied by his attorney, PUBLIC DEFENDER, 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,

- (Check either provision if applicable)
- ☐ and the Court having on _____ deferred imposition of sentence until this date.
- ☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein,

IT IS THE SENTENCE OF THE LAW that;

- ☐ The Defendant pay a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 960.25.
- ☒ The Defendant is hereby committed to custody of the Department of corrections
- ☐ The Defendant is hereby committed to the custody of the Sheriff of OKALOOSA County, FLORIDA

To be imprisoned

- ☐ For a term of Natural Life.
- ☒ For a term of 5 years .
- ☐ For an indeterminate period of 6 months to ____ years.

☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

☐ However, after serving a period of _____ imprisonment in prison the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this section:

- Firearm - 3 year mandatory minimum ☐ It is further ordered that the 3 year minimum provision of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.
- Drug Trafficking mandatory minimum ☐ It is further ordered that the ____ year minimum provisions of F.S. 893.135(1)() () are hereby imposed for the sentence specified in this count.
- Retention of Jurisdiction ☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of set forth in a separate order or stated on the record in open court.
- Habitual Offender ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(A). The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Jail Credit ☒ It is further ordered that the Defendant shall be allowed a total of 1834 days credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

** OFFICIAL RECORDS **
BK 1686 PG 470

- Consecutive/Concurrent It is further ordered that the sentence imposed for this count shall run ____ consecutive to X concurrent with (check one) the sentence set forth in count V above.

Defendant WALLS, FRANK ATHEN
Case No: 87-00856-CFA

S E N T E N C E

** OFFICIAL RECORDS **

BK 1686 PG 471

(As to Count 004)

The Defendant, being personally before this Court, accompanied by his attorney, PUBLIC DEFENDER, 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,

(Check either provision if applicable) ☐ and the Court having on _____ deferred imposition of sentence until this date.
☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein,

IT IS THE SENTENCE OF THE LAW that;

☐ The Defendant pay a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 960.25.

☒ The Defendant is hereby committed to custody of the Department of corrections

☐ The Defendant is hereby committed to the custody of the Sheriff of OKALOOSA County, FLORIDA

To be imprisoned

☒ For a term of Natural Life.

☐ For a term of

☐ For an indeterminate period of 6 months to ____ years.

☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

☐ However, after serving a period of _____ imprisonment in prison the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this section:

- Firearm - 3 year mandatory minimum ☐ It is further ordered that the 3 year minimum provision of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.
- Drug Trafficking mandatory minimum ☐ It is further ordered that the ____ year minimum provisions of F.S. 893.135(1)() () are hereby imposed for the sentence specified in this count.
- Retention of Jurisdiction ☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of set forth in a separate order or stated on the record in open court.
- Habitual Offender ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(A). The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Jail Credit ☒ It is further ordered that the Defendant shall be allowed a total of 1834 days credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):
- ** OFFICIAL RECORDS **
BK 1686 PG 472
- Consecutive/Concurrent It is further ordered that the sentence imposed for this count shall run x consecutive to ____ concurrent with (check one) the sentence set forth in count y above.
- Capital Offense (X) It is further ordered that the defendant shall serve no less than 25 years in accordance with the provisions of section 775.082(1), Florida Statutes.

Defendant WALLS, FRANK ATHEN
Case No: 87-00856-CFA

S E N T E N C E ** OFFICIAL RECORDS **
BK 1686 PG 473
(As to Count 005)

The Defendant, being personally before this Court, accompanied by his attorney, PUBLIC DEFENDER, 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,

(Check either provision if applicable) ☐ and the Court having on _____ deferred imposition of sentence until this date.
☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein,

IT IS THE SENTENCE OF THE LAW that;

☐ The Defendant pay a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 960.25.

☒ The Defendant is hereby committed to custody of the Department of corrections

☐ The Defendant is hereby committed to the custody of the Sheriff of OKALOOSA County, FLORIDA

To be imprisoned

☐ For a term of Natural Life.

☒ For a term of DEATH.

☐ For an indeterminate period of 6 months to ____ years.

☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

☐ However, after serving a period of _____ imprisonment in prison the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this section:

- Firearm - 3 year mandatory minimum ☐ It is further ordered that the 3 year minimum provision of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.
- Drug Trafficking mandatory minimum ☐ It is further ordered that the ___ year minimum provisions of F.S. 893.135(1)() () are hereby imposed for the sentence specified in this count.
- Retention of Jurisdiction ☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of set forth in a separate order or stated on the record in open court.
- Habitual Offender ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(A). The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Jail Credit ☒ It is further ordered that the Defendant shall be allowed a total of 1834 days credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

** OFFICIAL RECORDS **
BK 1686 PG 474

- Consecutive/Concurrent It is further ordered that the sentence imposed for this count shall run ___ consecutive to ___ concurrent with (check one) the sentence set forth in count ___ above.

Defendant WALLS, FRANK ATHEN
Case No: 87-00856-CFA

S E N T E N C E
(As to Count 006)

** OFFICIAL RECORDS **
BK 1686 PG 475

The Defendant, being personally before this Court, accompanied by his attorney, PUBLIC DEFENDER, 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,

(Check either provision if applicable) ☐ and the Court having on _____ deferred imposition of sentence until this date.
☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein,

IT IS THE SENTENCE OF THE LAW that;

☐ The Defendant pay a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 960.25.

☒ The Defendant is hereby committed to custody of the Department of corrections

☐ The Defendant is hereby committed to the custody of the Sheriff of OKALOOSA County, FLORIDA

To be imprisoned

☐ For a term of Natural Life.

☒ For a term of 20 years .

☐ For an indeterminate period of 6 months to ____ years.

☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

☐ However, after serving a period of _____ imprisonment in prison the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this section:

Firearm - 3 year mandatory minimum	☒	It is further ordered that the 3 year minimum provision of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.
Drug Trafficking mandatory minimum	☐	It is further ordered that the ____ year minimum provisions of F.S. 893.135(1)() () are hereby imposed for the sentence specified in this count.
Retention of Jurisdiction	☐	The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of set forth in a separate order or stated on the record in open court.
Habitual Offender	☐	The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(A). The requisite findings by the court are set forth in a separate order or stated on the record in open court.
Jail Credit	☒	It is further ordered that the Defendant shall be allowed a total of 1834 days credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

** OFFICIAL RECORDS **
BK 1686 PG 476

Consecutive/Concurrent		It is further ordered that the sentence imposed for this count shall run ____ consecutive to <u>X</u> concurrent with (check one) the sentence set forth in count <u>V</u> above.
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Defendant WALLS, FRANK ATHEN
Case No: 87-00856-CFA

S E N T E N C E

** OFFICIAL RECORDS **
BK 1686 PG 477

(As to Count 008)

The Defendant, being personally before this Court, accompanied by his attorney, PUBLIC DEFENDER, 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,

(Check either provision if applicable) ☐ and the Court having on _____ deferred imposition of sentence until this date.
☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein,

IT IS THE SENTENCE OF THE LAW that;

☐ The Defendant pay a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 960.25.

☒ The Defendant is hereby committed to custody of the Department of corrections

☐ The Defendant is hereby committed to the custody of the Sheriff of OKALOOSA County, FLORIDA

To be imprisoned

☐ For a term of Natural Life.

☒ For a term of 20 years .

☐ For an indeterminate period of 6 months to ____ years.

☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

☐ However, after serving a period of _____ imprisonment in prison the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this section:

- Firearm - 3 year mandatory minimum ☐ It is further ordered that the 3 year minimum provision of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.
- Drug Trafficking mandatory minimum ☐ It is further ordered that the ___ year minimum provisions of F.S. 893.135(1)() () are hereby imposed for the sentence specified in this count.
- Retention of Jurisdiction ☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of set forth in a separate order or stated on the record in open court.
- Habitual Offender ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(A). The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Jail Credit ☒ It is further ordered that the Defendant shall be allowed a total of 1834 days credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

** OFFICIAL RECORDS **
BK 1686 PG 478

- Consecutive/Concurrent It is further ordered that the sentence imposed for this count shall run ___ consecutive to X concurrent with (check one) the sentence set forth in count V above.

Case No: 87-00856-CFA

(As to Count 009)

The Defendant, being personally before this Court, accompanied by his attorney, PUBLIC DEFENDER, 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 placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

☐ The Defendant pay a fine of \$_____, plus \$_____ as the 5% surcharge required by F.S. 960.25.

13 | X | The Defendant is hereby committed to custody of the Department of
14 | | corrections

☐ The Defendant is hereby committed to the custody of the Sheriff of OKALOOSA County, FLORIDA

To be imprisoned

For a term of Natural Life.

1 $\bar{X}$ For a term of 20 years .

☐ For an indeterminate period of 6 months to years.

[] Followed by a period of _____
on probation under the supervision of the
Department of Corrections according to the
terms and conditions of probation set forth in
a separate order entered herein.

However, after serving a period of _____ imprisonment in prison the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this section:

- Firearm - 3 year mandatory minimum ☐ It is further ordered that the 3 year minimum provision of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.
- Drug Trafficking mandatory minimum ☐ It is further ordered that the ____ year minimum provisions of F.S. 893.135(1)() () are hereby imposed for the sentence specified in this count.
- Retention of Jurisdiction ☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of set forth in a separate order or stated on the record in open court.
- Habitual Offender ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(A). The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Jail Credit ☒ It is further ordered that the Defendant shall be allowed a total of 1834 days credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):
- ** OFFICIAL RECORDS **
BK 1686 PG 480
- Consecutive/Concurrent It is further ordered that the sentence imposed for this count shall run ____ consecutive to X concurrent with (check one) the sentence set forth in count V above.

Defendant WALLS, FRANK ATHEN
Case No: 87-00856-CFA

S E N T E N C E

** OFFICIAL RECORDS **

BK 1686 PG 481

(As to Count 010)

The Defendant, being personally before this Court, accompanied by his attorney, PUBLIC DEFENDER, 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,

(Check either provision if applicable) ☐ and the Court having on _____ deferred imposition of sentence until this date.
☐ and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein,

IT IS THE SENTENCE OF THE LAW that;

☐ The Defendant pay a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 960.25.

☐ The Defendant is hereby committed to custody of the Department of corrections

☒ The Defendant is hereby committed to the custody of the Sheriff of OKALOOSA County, FLORIDA

To be imprisoned

☐ For a term of Natural Life.

☒ For a term of 2 months .

☐ For an indeterminate period of 6 months to ____ years.

☐ Followed by a period of _____ on probation under the supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

☐ However, after serving a period of _____ imprisonment in prison the balance of such sentence shall be suspended and the Defendant shall be placed on probation for a period of _____ under supervision of the Department of Corrections according to the terms and conditions of probation set forth in a separate order entered herein.

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this section:

- Firearm - 3 year mandatory minimum ☐ It is further ordered that the 3 year minimum provision of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.
- Drug Trafficking mandatory minimum ☐ It is further ordered that the ____ year minimum provisions of F.S. 893.135(1)() () are hereby imposed for the sentence specified in this count.
- Retention of Jurisdiction ☐ The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of set forth in a separate order or stated on the record in open court.
- Habitual Offender ☐ The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(A). The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Jail Credit ☒ It is further ordered that the Defendant shall be allowed a total of 0060 days credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):
- ** OFFICIAL RECORDS **
BK 1686 PG 482
- Consecutive/Concurrent It is further ordered that the sentence imposed for this count shall run ____ consecutive to X concurrent with (check one) the sentence set forth in count V above.

Defendant WALLS, FRANK ATHEN
Case No: 87-00856-CFA

Consecutive/Concurrent (As to other convictions)	It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run ___ consecutive to ___ concurrent with (check one) the following:
---	---

☐ Any active sentence being served.

☐ Specific sentences: _____

..** OFFICIAL RECORDS **..

BK 1536 PG 483

In the event the above sentence is to the Department of Corrections, the Sheriff of OKALOOSA County, FLORIDA is hereby ordered and directed to deliver the Defendant to the Department of Corrections together with a copy of this Judgment and sentence.

The Defendant in Open Court was advised of his right to appeal from this Sent by filing notice of appeal within thirty days from this date with the Clerk of this Court, and the Defendant's right to the assistance of counsel in taking said appeal at the expense of the State upon showing of indigency.

In imposing the above sentence, the Court further recommends _____

DONE AND ORDERED in Open Court at OKALOOSA County,
FLORIDA this 29TH day of JULY A.D., 1992

ROBERT BARRON
CIRCUIT JUDGE

SENTENCING GUIDELINES SCORESHEET

Primary Docket Number 87-856	2. Additional Docket Numbers N/A	3. OBTS Number N/A	4. Category: ☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6 ☐ 7 ☒ 8 ☐ 9
Name (Last Name First) WALLS, FRANK ATHEN	6. Date of Birth 10/12/67	7. Sex: ☒ M ☐ F	8. Race: ☐ B ☒ W ☐ Other
Judge at Sentencing G. ROBERT BARRON	12. Date of Offense 7/22/87	13. Date of Sentence 7/29/92	14. ☐ Plea ☒ Trial
			9. Violation ☐ Prob ☐ CC
			10. County OKALOOSA
15. DOC Number			

OFFICE USE ONLY

** OFFICIAL RECORDS **
BK 1686 PG 484

POINTS

I. PRIMARY OFFENSE AT CONVICTION

Counts	Degree	Statute	Description
2	1°Pb1	787.01	Kidnapping

I. 217

II. ADDITIONAL OFFENSES AT CONVICTION

Counts	Fel/Misd	Degree	Statute	Description
1	Fel	1°Pb1	810.02	Burglary of Dwelling While Armed
1	Fel	3°	810.02	Burglary of a Structure
1	Misd	2°	812.014	Petit Theft

50

(Continue on Reverse)

III. A. PRIOR RECORD

Counts	Fel/Misd	Degree	Statute	Description
1	Misd	2°	322	No Tag
1	Misd	2°	877.03	Disorderly Conduct
1	Fel	3°	812.014	Grand Theft
1	Fel	2°	790.163	False Bomb Threat

III. A. 45

(Continue on Reverse)

III. B. SAME CATEGORY PRIORS (categories 3, 5 and 6 only)

III. B. _____

III. C. PRIOR DUI CONVICTIONS (category 1 only)

III. C. _____

IV. LEGAL STATUS AT TIME OF OFFENSE

(1) no restrictions (2) legal constraint

IV. _____

V. VICTIM INJURY

Number of Scoreable Victim Injuries Degree of Injury

	none or no contact
	slight or contact but no penetration
	moderate or penetration
x2	severe or death

V. 48

TOTAL POINTS

360

RECOMMENDED SENTENCE 17 - 22 PERMITTED SENTENCE 12-27

TOTAL SENTENCE IMPOSED Ct.I 5 yrs DOC concur w/ Ct.V, Ct.IV Life w/25 yr min ma
consecutive to Ct.V

REASONS FOR DEPARTURE Ct.V Death, Ct.VI 20 yrs DOC w/3 yr min mand(firearm)

JUDGE G. ROBERT BARRON PREPARER ALBERT H. GRINSTED, III

concur w/Ct.V, Ct.VIII 20 yrs concur w/Ct.V, Ct.IX 20 yrs concur w/Ct.V
Ct.X 60 days county jail concur Ct.V

OFFICE USE ONLY

T.S.	CC	Prob.
S.P.	C.J.	E.F.

1160

IN THE CIRCUIT COURT IN AND FOR OKALOOSA COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

-VS-

FRANK A. WALLS,

Defendant.

** OFFICIAL RECORDS **
BK 1686 PG 485

CASE NO. 87-856

FILED
NEWMAN C. CHAMBERLIN
'92 JUL 30 AM 8:30
CLERK OF CIRCUIT COURT
OKALOOSA COUNTY
FLORIDA
SHALIMAR

"AGGRAVATING AND MITIGATING CIRCUMSTANCES CONSIDERED BY
THE COURT UPON IMPOSITION OF THE DEATH PENALTY"

As to Count V, the First Degree Premeditated and Felony Murder of Ann Peterson, the Court hereby imposes a sentence of death by electrocution. This recommendation is supported by the Jury Advisory Verdict which unanimously recommended a sentence of death. Arriving at this determination, the Court finds that the evidence adduced at trial supports the following findings of fact.

The evidence beyond any reasonable doubt, shows that the defendant stealthily entered the residence of Edward Alger and Ann Peterson during the early morning hours of July 22, 1987. At the time of entering, at least two vehicles were parked in front of the residence giving the clear impression that the residence was in fact occupied. Immediately upon entering, the defendant cut a length of curtain cord and proceeded to the bedroom where Edward Alger and Ann Peterson were sleeping. The defendant armed with a knife and a pistol, intentionally awakened the couple by turning the light on and kicking over a large fan. At gunpoint, the defendant forced Ann Peterson to bind Edward Alger's wrist and ankles with the curtain cord. The defendant

then took Ann to the living room where he secured another piece of cord, tied her, and gagged her with a sock. The Defendant then returned to the back bedroom to find Edward attempting to free himself. Edward Alger, nude, unarmed and with his ankles still bound, struggled desperately with the defendant fighting for his life. His feet were cut and scratched where he had stepped through the grill on the overturned fan. Edward still fought to live by biting the defendant on the inside of his thigh. After gaining the advantage and while Edward was on the floor, the defendant slashed his throat with a knife. The defendant then proceeded to shoot Edward three times (once in the neck, with the bullet shattering some of his teeth; once in the forehead; once in the side of the head). The defendant then returned to the living room and struggled with Ann, ripping off her night shirt. The defendant then moved Ann into an empty front bedroom. Ann was found nude face down in a sofa throw pillow. She had suffered a gun shot wound to the head that caused her death. Prior to the infliction of that wound, the defendant had informed her of the fate of boyfriend, Edward. She was curled up crying as she was told of what had happened to Edward. By the defendant's own admission it was his intent to leave no witnesses. His first shot at her went awry and struck her cheek. Upon being shot the first time she began crying and screaming, then the defendant fired a second fatal shot into her head.

After completing the murder the defendant stole Edward's wallet, money and a fan. He then returned to his own trailer, showered, changed clothes, and stored the fan in the shed. The wallet contents belonging to Edward were disposed of in a garbage

dumpster behind a high school. He then returned the automobile he had taken during the car lot burglary committed earlier in the evening (before the murders). Defendant then went to a topless bar where he spent the victim's money on beer and tips for the employees of the topless bar.

** OFFICIAL RECORDS **
BK 1686 PG 487

The evidence against the defendant included: a taped confession, an oral confession, the gun and knife used in the murders and recovered from the defendant's residence, the wallet and fan taken from the victims and recovered in the defendant's residence, microanalysis evidence, serological evidence, firearm/ballistic evidence, fingerprint evidence, and blood dispersement analysis evidence. The identity of the killer is without a doubt.

After studying, considering and weighing all the evidence the Court finds the following aggravating factors have been proved beyond any reasonable doubt.

1. The defendant has been previously convicted of another capital offense or of a felony involving the use of violence to some person. (F.S. 921.141(5)(b)(1987))
The evidence presented in the case proves that the defendant first killed Edward Alger. He then executed Ann Peterson. The Florida Supreme Court in Zeigler v. State, 580 So2d 127 (1991) held that this aggravating factor was properly applied in cases where contemporaneous crimes are committed upon separate victims.
2. The murder was committed while the defendant was engaged in the commission of a burglary. The murder was also committed while the defendant was engaged in the

commission of a kidnapping. (F.S. 921.141(5)(d)

(1987)) The crime of kidnapping was accomplished when Ann, at gunpoint, was forced from her bed, taken to the living room, bound and gagged. Subsequently, Ann was moved to yet another room. Ann was murdered shortly after she was moved to the second room (and after Edward was murdered). After her murder Edward's wallet, money, and a fan were taken from their mobile home.

3. The murder was committed for the purpose of avoiding or preventing a lawful arrest. (F.S. 921.141(5)(e) (1987)) The defendant, by his own admission, fully intended to eliminate Ann Peterson as a witness to the murder of Edward Alger and other crimes. The defendant confessed that Ann Peterson asked if Edward was "O.K." and he told her "No." He further stated that she knew what he had done to Edward. The defendant made no attempt to conceal his identity, yet took elaborate steps to avoid detection. The defendant stated, "I don't want...no witnesses." Kokal v. State, U 492 So2d 1317 (1986).

4. The murder was committed for pecuniary gain. (F.S. 921.141(5)(f) (1987)) The Court is aware of the prohibition against the doubling of aggravated factors (i.e., considering both the burglary and pecuniary gain). Even though burglary was the underlying felony for the first degree felony murder conviction, the murder was also committed during the commission of a kidnapping and F.S. 921.141(5)(d) could stand on a burglary or a

kidnapping. Upon consideration of the total circumstances, the fact that a burglary also occurred does not prevent the Court from considering the pecuniary gain aspect of the crime.

** OFFICIAL RECORDS **
BK 1606 PG 489

Evidence of pecuniary gain was clear by the recovery of Edward's wallet and Edward and Ann's fan from the trailer occupied by the defendant. It was further established by the defendant's statement that he went there to get some things and had in fact taken between \$200-\$300 from the trailer.

5. The murder was especially heinous, atrocious, or cruel. (F.S. 921.141 (5)(h) (1987)) The acts of this defendant and the obvious torture and suffering of the victim set this crime apart from the norm of capital felonies.

While sleeping in the security of her own home with her boyfriend, she was intentionally awakened by the defendant, a gun and knife-wielding stranger. She was forced at gunpoint to tie up her boyfriend, Edward, with curtain cord provided by the defendant. Ann was then taken by the defendant to the living room where she was bound and gagged. She was left to hear the violent life and death struggle between the defendant and her boyfriend. She was also there to hear the three gun shots and realize that it was the intruder who had returned to her and not Edward. Ann begged the defendant to tell her if Edward was alright; the defendant told her "No." The defendant has confessed that at that point he was

verbally taunting and terrifying her. The defendant and Ann Peterson wrestled and struggled and he ripped off her only clothing, a night shirt, leaving her completely naked. He then took her to the front bedroom where he untied her. The defendant has confessed that he intended to leave no witnesses. We will never know the full extent of the taunting, cruel teasing, and mental suffering inflicted upon and suffered by Ann Peterson. Instead of a swift, efficient, and "painless" killing, the defendant fired one shot into Ann Peterson's cheek and as she lay there screaming in fear and pain, and while she was curled up crying on the floor, the defendant ended her life by firing a second shot point blank into her head.

To Ann Peterson, the knowledge of her own certain impending death, at the hands of this wicked intruder into the night, knowing that he had already taken the life of Edward Alger, must have brought a level of terror, panic, and utter hopelessness beyond comprehension.

6. The murder was committed in a cold, calculated, and premeditated manner without any pretense of moral or legal justification. (F.S. 921.141(5) (f) (1987))

The defendant burglarized a used car lot and took an automobile at approximately 8-8:30 p.m. on the night before the murders. He went to two bars and one "strip joint" after committing the burglary of the used car lot. As a result of the burglary the defendant had accumulated assorted stolen property which he took

back to and stored at his own trailer. Between approximately 1:45 a.m. and 2:25 a.m. the defendant forcibly entered (using an ice pick-like instrument) the Alger/Peterson mobile home. Parked in front of the home were a minimum of two vehicles giving the clear impression that the home was at that very time occupied. He cut curtain cord immediately upon entering. He proceeded directly to the back bedroom and intentionally awakened both victims. He made no effort to conceal his identity. The property that he ultimately took was taken from the living room area, and the taking of that property did not necessitate waking and confronting the victims. He bound both victims and gagged one. He separated the victims. After killing Edward he then returned to Ann, informed her of what he had done to Edward and then proceeded to kill Ann.

After the murders the defendant checked to make sure "everything was alright", i.e., making sure he left nothing to connect him with the crime. He fled in the stolen automobile which he had parked near the murder scene. He took the victim's property to his trailer. He showered and changed clothes. Then he removed Alger's personal papers from the wallet and put his own in. The wallet contents of the victim were then tossed in a garbage dumpster behind a local high school. The defendant proceeded (now approximately 3:00 a.m.) to the same "strip joint/topless bar" where he freely spent the victim's money on drinks and dancers.

The totality of the defendant's conduct before, during and after the murders elevates his premeditation to the heightened level needed to constitute an aggravating factor.

**** OFFICIAL RECORDS ****
BK 1686 PG 492

After studying, considering and weighing all the evidence in the case, the Court makes the following findings of fact as to the mitigating circumstances. The Court has considered the testimony of the defendant's mother, father, a psychiatrist, and two psychologists as well as numerous photographs of the defendant. The Court has considered all the possible mitigating circumstances listed under F.S. 921.141(6) (1987) and finds as follows as to each possible mitigating circumstance.

1. The defendant has no significant history of prior criminal activity (F.S. 921.141(6)(a)).

2. Although there was some testimony from one psychologist (Dr. Hagerott) that the capital felony was committed while the defendant was under the influence of extreme mental or emotional disturbance (F.S. 921.41(6)(b)), the Court does not believe that this mitigating factor was proved by a preponderance of the evidence. Dr. Hagerott's evaluation consisted of approximately a four hour examination conducted five years after the event. Neither the other defense psychologist nor the defense psychiatrist who each examined the defendant and/or treated him prior to the murders and at a point in time much closer to the murders would testify that the defendant was under the influence of extreme mental or emotional disturbance. To the contrary, they testified that the defendant in fact had the capacity to appreciate the

criminality of his conduct or to conform his conduct to the requirement of law.

**** OFFICIAL RECORDS ****
BK 1686 PG 493

Furthermore, Dr. Valentine, defense psychiatrist, testified that the defendant had previously been diagnosed and treated for manic depression, but testified further that the defendant was no longer being treated for that diagnosis and was, to Dr. Valentine's knowledge, under no medication for any emotional disturbance either at the time of the murders or at the time of trial.

The Court also observed that during the course of the week long trial the defendant, who at the time was taking no medication and was on trial for his life, exhibited absolutely no symptoms of emotional stress or disturbance, and appeared to remain calm and lucid at all times and participated actively with his counsel during the jury selection process and the trial of the case.

3. F. S. 921.141(6)(c), (d) and (e) do not factually apply to this case.

4. The capacity of the defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of law was NOT (emphasis added) substantially impaired. (F.S. 921.141 (6) (f).)

5. The age of the defendant at the time of the crime was 19 years and 10 1/2 months. (F.S. 921.141 (6) (g).)

As to the non-statutory mitigating circumstances, the Court has considered the following:

1. The defendant was classified by school counselors and psychologists as being emotionally handicapped based on his "acting out" behavior.

2. The defendant had apparent brain dysfunction possibly caused by slight brain damage, although not medically diagnosed. This dysfunction was manifested by the defendant's difficulty in learning mathematical and verbal skills. **** OFFICIAL RECORDS ****
BK 1686 PG 494

3. The defendant's intelligence quotient decreased from the time he was school age to the present. His I.Q. scores dropped from "Average" level to "Low Normal." Dr. Hagerott testified that, in her opinion, the defendant is extremely immature and his behavioral control is in many ways consistent with a child in the middle to late elementary school age, and that the defendant is functioning intellectually at about the age of 12 or 13.

4. The defendant confessed to law enforcement officials and cooperated fully with the investigation. He voluntarily surrendered to authorities when apprehended.

5. The defendant maintained a loving relationship with his parents and sibling brother, and at times physically carried his brother around when his brother was incapacitated due to surgery from a club foot disorder.

6. The defendant was a good worker during the time periods he was employed.

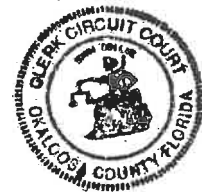
7. The defendant had at times exhibited kindness and compassion toward weak, crippled or helpless persons and animals.

The Court finds that there are no other non-statutory mitigating circumstances. Even if the Court were to find that the defendant established each mitigating factor that he raised, that would not outweigh the overwhelming evidence of aggravating circumstances or even a single aggravating circumstance established

by the evidence in this case.

**** OFFICIAL RECORDS ****
BK 1686 PG 495

Based on the overwhelming evidence of aggravation the Court finds that the aggravating circumstances substantially outweigh the mitigating circumstances and this Court will therefore follow the unanimous recommendation of the jury and impose upon Frank A. Walls a sentence of death by electrocution for the First Degree Premeditated and Felony Murder of Ann Peterson. The defendant is hereby remanded to the custody of the Department of Corrections for the implementation of this sentence.



**CERTIFIED A TRUE
AND CORRECT COPY**
DON W. HOWARD
CLERK CIRCUIT COURT

BY *mi Jodell*
DEPUTY CLERK

DATE 5/15/2013



FILE# 1207432
OKALOOSA COUNTY, FLORIDA

RCD: JUL 31 1992 @ 7:43 AM
NEWMAN C BRACKIN, CLERK

1171

DEATH WARRANT

STATE OF FLORIDA

WHEREAS, FRANK ATHEN WALLS, on or about the 22nd day of July, 1987, murdered Edward Alger and Ann Peterson; and

WHEREAS, FRANK ATHEN WALLS, on the 18th day of June, 1992, was convicted of two counts of first-degree murder, two counts of kidnapping, two counts of burglary, and one count of petit theft and, on the 29th day of July, 1992, was sentenced to death for the murder of Ann Peterson; and

WHEREAS, on the 7th day of July, 1994, the Supreme Court of Florida affirmed the convictions and death sentence of FRANK ATHEN WALLS; and

WHEREAS, on the 9th day of February, 2006, the Supreme Court of Florida affirmed the trial court order denying FRANK ATHEN WALLS's initial Motion for Postconviction Relief and denied his Petition for Writ of Habeas Corpus; and

WHEREAS, on the 30th day of September, 2009, the United States District Court for the Northern District of Florida denied FRANK ATHEN WALLS's federal Petition for Writ of Habeas Corpus; and

WHEREAS, on the 28th day of September, 2011, the United States Court of Appeals for the Eleventh Circuit affirmed the denial of FRANK ATHEN WALLS's federal Petition for Writ of Habeas Corpus; and

WHEREAS, further postconviction motions and petitions filed by FRANK ATHEN WALLS have been denied and the denials affirmed on appeal; and

WHEREAS, executive clemency for FRANK ATHEN WALLS, 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 FRANK ATHEN WALLS, 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 November, 2025.




GOVERNOR

ATTEST:


SECRETARY OF STATE

2025 NOV 18 PM 4:16
DEPARTMENT OF STATE
TALLAHASSEE, FL

FILED