



RON DESANTIS
GOVERNOR

January 29, 2026

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

Re: Execution Date for Billy Leon Kearse, DC# 138315

Dear Warden Polk:

Enclosed is the death warrant that I signed to carry out the sentence for Billy Leon Kearse, as well as certified copies of his judgment and sentence. I have designated the week beginning at 12:00 noon on Tuesday, March 3, 2026, through 12:00 noon on Tuesday, March 10, 2026, for the execution. I have been advised that you have set the date and time of execution for Tuesday, March 3 at 6:00 p.m.

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

Sincerely,

A large, dark, handwritten signature of "RDS" in a cursive style.

Ron DeSantis
Governor

Enclosures

2025 RELEASE UNDER E.O. 14176
TALLAHASSEE, FL

Warden Randall Polk
January 29, 2026
Page 2

cc:

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

Honorable Charles A. Schwab
Chief Judge, 19th Judicial Circuit
218 S. Second Street
Fort Pierce, Florida 34950

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, Room 229
Tallahassee, Florida 32399-2450

Billy Leon Kearse, DC# 138315
Union Correctional Institution
7819 N.W. 228th Street
Raiford, Florida 32083

Paul Edward Kalil
Capital Collateral Regional Counsel
110 S.E. 6th Street Ste 701
Fort Lauderdale, Florida 33301



STATE OF FLORIDA

**JAMES UTHMEIER
ATTORNEY GENERAL**

January 29, 2026

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

RE: Billy Leon Kearse

Dear Governor DeSantis:

On January 18, 1991, Fort Pierce Police Officer Danny Parrish stopped Kearse's vehicle because it was traveling the wrong way on a one-way street. Kearse could not produce a driver's license and gave Officer Parrish several aliases. Officer Parrish ordered Kearse out of the car and as he attempted to handcuff Kearse, a scuffle ensued. Kearse grabbed Officer Parrish's gun and fired fourteen shots. Thirteen of the shots struck Officer Parrish, nine in his body and four in his bullet-proof vest. A taxi driver in the area heard the shots, saw a vehicle drive away, and called for assistance on Officer Parrish's radio. Officer Parrish was taken to the hospital, where he died from the gunshot injuries. After his arrest, Kearse confessed to shooting Officer Parrish. Kearse was sentenced to death for the murder of Officer Parrish.

The Florida Supreme Court affirmed Kearse's convictions but remanded for a new penalty phase. *Kearse v. State*, 662 So. 2d 677 (Fla. 1995). Kearse was resentenced to death after a unanimous jury recommendation. This sentence was affirmed. *Kearse v. State*, 770 So. 2d 1119 (Fla. 2000), *cert. denied*, 532 U.S. 945 (2001).

In the decades that followed, Kearse engaged in extensive and unsuccessful postconviction litigation in both state and federal court. *Kearse v. State*, 969 So. 2d 976 (Fla. 2007) (affirming the denial of initial postconviction motion); *Kearse v. State*, 75 So. 3d 1244 (Fla. 2011) (affirming summary denial of successive postconviction motion claiming newly discovered evidence); *Kearse v. State*, 252 So. 3d 693 (Fla. 2018) (affirming summary denial of *Hurst* claim); *cert. denied*, 586 U.S. 862 (2018);

Kearse v. Sec'y, Fla. Dep't of Corr., 2022 WL 3661526, No. 15-15228 (11th Cir. Aug. 5, 2022) (affirming the denial of federal habeas relief), *cert. denied*, 143 S. Ct. 2439 (2023).

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,

A handwritten signature in blue ink, appearing to read "James Uthmeier".

James Uthmeier
Attorney General

- Probation Violator
- Community Control Violator
- Retrial
- Resentence

IN THE CIRCUIT COURT,
NINETEENTH JUDICIAL CIRCUIT,
IN AND FOR ST. LUCIE COUNTY, FLORIDA

CRIMINAL DIVISION

CASE NUMBER 91-136-CF

STATE OF FLORIDA

vs.

BILLY L. KEARSE

Defendant

JUDGMENT

The Defendant, BILLY L. KEARSE, being personally before this Court
represented by ROBERT UDELL, the attorney of record, and the State
represented by STATE ATTORNEY BRUCE COLTON, and having:

been tried and found guilty by Jury / Court 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	OFFENSE STATUTE NUMBER(S)	DEGREE OF CRIME	OBTS NUMBER
I	FIRST DEGREE MURDER	782.04(1)	CAPITAL	3723740



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

and pursuant to section 943.325, Florida Statutes, having been convicted of attempts or offenses relating to sexual battery (ch. 794) or lewd and lascivious conduct (ch. 800) the Defendant shall be required to submit blood specimens.

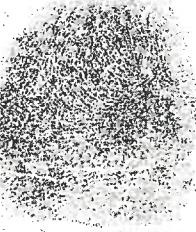
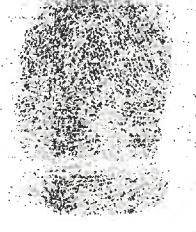
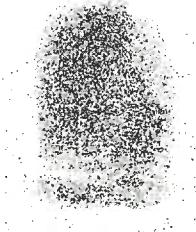
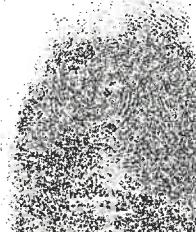
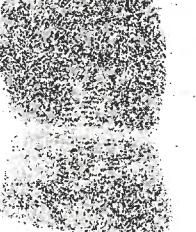
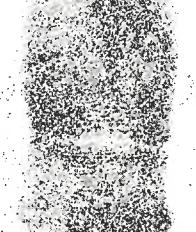
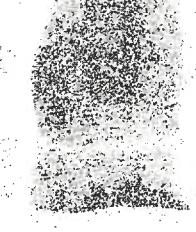
and good cause being shown; IT IS ORDERED THAT ADJUDICATION OF GUILT BE WITHHELD.

The Defendant in open Court was advised of the right to appeal from this Sentence by filing notice of appeal within 30 days from this date with the Clerk of this Court and the Defendant's right to the assistance of counsel in taking the appeal at the expense of the State on showing of indigency.

D. Biffen Trumbo

JUDGE

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:

D. Biffen Trumbo #586

Name

Deputy / Biffen

Title

I HEREBY CERTIFY that the above and foregoing fingerprints are the fingerprints of the Defendant, BILLY L.

KEARSE

and that they were placed thereon by said Defendant in my presence in open Court this date.

Indian River

DONE AND ORDERED in open Court at St. Lucie County, Florida, this 24th day of March

A.D. 1992



D. Biffen Trumbo

JUDGE

Circuit Ct. Min.

Violation of Probation, Previously Adjudged Guilty
 Violation of Community Control, Previously Adjudged Guilty
 Amended

Case Number 96-136-CF
OBTS Number 3723740

Defendant BILLY L. KEARSE

SENTENCE

(As to Count I)

The Defendant, being personally before this Court, accompanied by the Defendant's attorney of record, ROBERT UDELL, 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 the Defendant should not be sentenced as provided by law, and no cause being shown

(Check one if applicable.)

and the Court having on _____ deferred imposition of sentence until this date.
 (date)

and the Court having previously entered a judgment in this case on _____ now resentsences the Defendant.
 (date)

and the Court having placed the Defendant on Probation/Community Control and having subsequently revoked the Defendant's Probation/Community Control.

It Is The Sentence Of The Court that:

The Defendant pay a fine of \$ _____, pursuant to section 775.083, Florida Statutes, plus \$ _____ as the 5% surcharge required by section 960.25, Florida Statutes.

The Defendant pay to the Drug Trust Fund, a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 893.16 and 893.165.

The Defendant is hereby committed to the custody of the Department of Corrections.

The Defendant is hereby committed to the custody of the Sheriff of St. Lucie County, Florida.

The Defendant is sentenced as a youthful offender in accordance with section 958.04, Florida Statutes.

To Be Imprisoned (Check one; unmarked sections are inapplicable.):

DEATH BY ELECTROCUTION

For a term of Natural Life.

For a term of Natural Life with a 25 year mandatory minimum.

For a term of _____

Said SENTENCE SUSPENDED for a period of _____ subject to conditions set forth in this Order.

If "split" sentence, complete the appropriate paragraph.

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

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

In the event the Defendant is ordered to serve additional split sentences, all incarceration portions shall be satisfied before the Defendant begins service of the supervision terms.

Circuit Ct. Min.



SPECIAL PROVISIONS

(As to Count I)

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

Mandatory/Minimum Provisions:

<i>Firearm</i>	<input type="checkbox"/> It is further ordered that the 3-year minimum imprisonment provisions of section 775.087(2), Florida Statutes, is hereby imposed for the sentence specified in this count.
<i>Drug Trafficking</i>	<input type="checkbox"/> It is further ordered that the _____ mandatory minimum imprisonment provisions of section 893.135(1), Florida Statutes, is hereby imposed for the sentence specified in this count and pay fine \$ _____ plus \$ _____ as the 5% surcharge required.
<i>Controlled Substance Within 1,000 Feet of School</i>	<input type="checkbox"/> It is further ordered that the 3-year minimum imprisonment provisions of section 893.13(1)(e)1, Florida Statutes, is hereby imposed for the sentence specified in this count.
<i>Habitual Felony Offender</i>	<input type="checkbox"/> The Defendant is adjudicated a habitual felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084(4)(a), Florida Statutes. The requisite findings by the Court are set forth in a separate order or stated on the record in open Court.
<i>Habitual Violent Felony Offender</i>	<input type="checkbox"/> The Defendant is adjudicated a habitual violent felony offender and has been sentenced to an extended term in accordance with the provisions of section 775.084(4)(b), Florida Statutes. A minimum term of _____ year(s) must be served prior to release. The requisite findings of the Court are set forth in a separate order or stated on the record in open Court.
<i>Law Enforcement Protection Act</i>	<input type="checkbox"/> It is further ordered that the Defendant shall serve a minimum of _____ year(s) before release in accordance with section 775.0823, Florida Statutes.
<i>Capital Offense</i>	<input type="checkbox"/> 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.
<i>Short-Barreled Rifle, Shotgun, Machine Gun</i>	<input type="checkbox"/> It is further ordered that 5-year minimum provisions of section 790.221(2), Florida Statutes, are hereby imposed for the sentence specified in this count.
<i>Continuing Criminal Enterprise</i>	<input type="checkbox"/> It is further ordered that the 25-year minimum sentence provisions of section 893.20, Florida Statutes, are hereby imposed for the sentence specified in this count.

Other Provisions:

<i>Jail Credit</i>	<input type="checkbox"/> It is further ordered that the Defendant shall be allowed a total of _____ days as credit for time incarcerated before imposition of this sentence.
<i>Prison Credit</i>	<input type="checkbox"/> It is further ordered that the Defendant be allowed day for day credit for all time previously served on this count in the Department of Corrections prior to resentencing.
<i>Consecutive/Concurrent As To Other Counts</i>	<input type="checkbox"/> It is further ordered that the sentence imposed for this count shall run (check one) <input type="checkbox"/> consecutive to <input type="checkbox"/> concurrent with the sentence set forth in count _____ of this case.



Circuit Ct Min.

Defendant BILLYV L. KEARSECase Number 91-136-CF**Other Provisions, continued:**

Consecutive/Concurrent It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run

As To Other Convictions consecutive to concurrent with the following:

(check one)

 any active sentence being served. specific sentences: _____

Retention of Jurisdiction The court retains jurisdiction over the Defendant pursuant to section 947.16(3), Florida Statutes (1983).

In the event the above sentence is to the Department of Corrections, the Sheriff of St. Lucie County, Florida, is hereby ordered and directed to deliver the Defendant to the Department of Corrections at the facility designated by the department together with a copy of this Judgment and Sentence and any other documents specified by Florida Statute.

The Defendant in open Court was advised of the right to appeal from this Sentence by filing notice of appeal within 30 days from this date with the Clerk of this Court and the Defendant's right to the assistance of counsel in taking the appeal at the expense of the State on showing of indigency.

In imposing the above sentence, the Court further recommends / orders _____

97 PRR 25
JOANNE R. MILLER
CLERK CIRCUIT COURT
1 15

Indian River
DONE AND ORDERED in open Court at St. Lucie County, Florida, this 24 day of MARCH, 1997.


JUDGE

STATE OF FLORIDA
ST. LUCIE COUNTY
THIS IS TO CERTIFY THAT THIS IS A
TRUE AND CORRECT COPY OF THE
ORIGINAL

MICHELLE R. MILLER, CLERK

By: 
Deputy ClerkDate: 21-2005

Circuit Ct. Min.

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR ST. LUCIE COUNTY, FLORIDA

STATE OF FLORIDA

v.

Case No. 91-136-CF

BILLY LEON KEARSE
Defendant

SENTENCE AND FINDINGS OF FACT

This cause came on to be heard March 12, 1997, for Determination of Sentence for Count 1, Murder in the First Degree, and the Court having presided over the Sentencing Hearing before the Jury, and having received it's 12/0 Recommendation for the Death Penalty, and the Court having heard argument on March 12, 1997, and having considered the Memoranda submitted by the State and the Defendant, and notwithstanding the recommendation of the jury, the Court has made its own independent evaluation of the aggravating and mitigating circumstances as required by Chapter 921.141(3) Florida Statutes:

a. The crime for which the defendant is to be sentenced was committed while he was engaged in the commission of or during flight after committing or attempting to commit the crime of robbery, 921.141(5)(d):

The evidence shows that Defendant forcibly took Officer Parish's service pistol, turned that weapon on the officer and killed him. Even though the Defendant may have been motivated by his desire to avoid arrest when he took the gun, the incident still constituted a robbery under the definition of that offense. The taking was not incidental to the killing. The Supreme Court so ruled in the prior appeal and also found that this circumstance did not constitute doubling. The Court finds that this aggravator has been proven beyond a reasonable doubt. It's weight, however, is diminished somewhat as stealing the officer's pistol was not a planned activity such as occurs in a purse snatching or a holdup. While technically defendant's actions constituted robbery, the reality is that defendant took the weapon to effect the killing and then kept it to conceal the fingerprints and other evidentiary matters it presented.

b. The crime for which the defendant is to be sentenced was committed for the purpose of avoiding or preventing a lawful arrest or effecting an escape from custody. 921.141(5)(e):

The evidence clearly shows that defendant's actions were taken for this purpose. There is no evidence that defendant carried any grudge against the officer, that the defendant planned the encounter, or that there was any reason to kill the officer other than the defendant's intention that he not be arrested. The Court finds that this aggravating factor has been proven beyond a reasonable doubt.

c. The crime for which the defendant is to be sentenced was committed to disrupt or hinder the lawful exercise of any governmental function or the enforcement of laws. 921.141(5)(g):

Effecting an arrest was the lawful exercise of a governmental function and the enforcement of laws. When the defendant killed the officer to prevent the arrest, this aggravating factor was established. The Court finds that this aggravating factor has been proven beyond a reasonable doubt.

d. The victim of the crime for which the defendant is to be sentenced was a law enforcement officer engaged in the performance of his official duties. 921.141(5)(j):

Again, there is no question but that Officer Parrish was a law enforcement officer and was acting within his official duties when he stopped the defendant and attempted to arrest him. The Court finds that this aggravating factor has been proven beyond a reasonable doubt.

The Court also finds that aggravating factors b, c, and d, above, are based upon a single aspect of the case and, accordingly, are considered as only one aggravating factor. This means that the Court has found a total of two aggravating factors, a, above, and the combined factors b, c, and d, proven beyond a reasonable doubt.

STATUTORY MITIGATING FACTORS

a. The capacity of the defendant to appreciate the criminality of his conduct or to conform his conduct to the requirements of the law was substantially impaired.

b. The capital felony was committed while the defendant was under the influence of extreme mental or emotional disturbance.

Each of these possible mitigating factors must be considered in two ways: first, on the basis of the extensive psychological evidence presented, and second, in the light of the evidence regarding the defendant's conduct at the time of the offense.

There is no doubt but that defendant grew up in bad circumstances. His childhood and early family training were horrible. The evidence does not establish that defendant has organic brain damage from any source including fetal alcohol syndrome. He obviously has some personality disorders and has indulged in bad conduct all of his life. While the experts who testified disagreed, the court finds that any mental or emotional disturbance was not "extreme."

The evidence shows that defendant exhibited a clear thinking process throughout the criminal episode. He lied to the officer about his name to the extent that the officer made several attempts to verify it in different forms. When this failed, defendant had presence of mind to take the officer's pistol. He fired fourteen shots in several groups with pauses in between during which the officer begged for his life. He then thought to keep the pistol with his fingerprints on it and to later hide it. He made an effort to conceal the automobile. When questioned after the offense, he led the officers on a wild goose chase for the pistol. This evidence shows defendant's ability to appreciate the criminality of his conduct, to make conscious choices about that conduct, and to purposely engage in the criminal activities. The Court finds that neither of these two statutory mitigating factors has been proven by the greater weight of the evidence.

OK

c. The age of the defendant at the time of the crime.

Since there is no magic cutoff age under this factor, the Court must find that it has been established by the greater weight of the evidence. However, the evidence shows that defendant had already been through many stages of the criminal justice system including state prison time. Although eighteen years of age at the time, defendant exhibited sophistication rather than naivete. The obvious intent of this statutory mitigator is to give consideration to a youth who acts from immaturity. This is just not the case here and the mitigator is entitled to some but not much weight.

NON-STATUTORY MITIGATING FACTORS

Defendant's attorney has listed forty such possible factors but with no written or oral argument at the penalty phase to support them. The Court has considered whether each of these has been established by the greater weight of the evidence.

Items 1 and 2 relate to lack of heightened premeditation and lack of being heinous, atrocious, or cruel. This Court doubts that the absence of a statutory aggravating factor can become a non-statutory mitigating factor. Even if it could be, the evidence here, while not sufficient for aggravating factors, certainly does not disclose anything meritorious in the manner of this murder. The officer was hit by thirteen bullets, begged for his life, and was partially paralyzed before he died. The Court cannot find that the greater weight of this evidence establishes either of these suggested mitigating factors.

Item 3 is "Time between any decision to cause death and the shooting insufficient to allow cool and thoughtful consideration of conduct." For the reasons discussed in Items 1 & 2 above, the Court cannot find that this suggested mitigating factor has been established by the greater weight of the evidence.

Item 4 relates to defendant's cooperation with law enforcement, confession, and sincere remorse. The evidence shows that defendant initially did anything but cooperate and that even after he was confronted with evidence of his guilt, he blamed the conduct of the officer for the killing. While the Court must find that the defendant did confess, little weight should be given to this act under the circumstances and the Court cannot find from the greater weight of the evidence any true remorse.

Item 5. The Court finds that the defendant's behavior at the trial was acceptable and will give this some weight.

Items 6 through 39 are a laundry list of factors that essentially relate to defendant's difficult childhood and his psychological and emotional condition because of it. While the Court finds that the greater weight of the evidence does not establish fetal alcohol effect or organic brain damage, there was evidence regarding the remaining conditions and the Court has considered individually and will give some weight to each of these suggested factors.

Item 40 states "Defendant entered the adult penal system at a very early age." While this is true, the Court fails to see how this could be a mitigating factor. If it is, somehow, it is entitled to little weight.

CONCLUSION

In conclusion the Court finds beyond a reasonable doubt that the State has proven by very clear, convincing and credible evidence aggravating circumstances a, b, c, and d, above (which total only two) and that the statutory and nonstatutory mitigating circumstances found proven above are not individually or in toto substantial or sufficient to outweigh the aggravating circumstances.

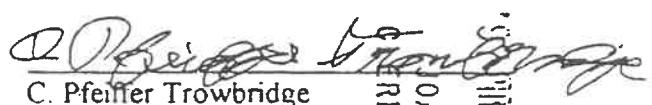
Accordingly, after weighing all the aggravating and mitigating circumstances proven as established by the evidence in these proceedings, and the arguments presented during the penalty phase of this case, and the recommendation of the jury, the Court finds that there are sufficient aggravating circumstances beyond a reasonable doubt (and insufficient mitigating circumstances) to justify the imposition of the death penalty for Count 1, First Degree Murder.

It is, therefore, ORDERED AND ADJUDGED that you, Billy Leon Kearse, are hereby sentenced to be put to death according to the law.

You have the automatic right to appeal this Sentence and to have the assistance of appointed counsel for this purpose.

May God have mercy upon your soul.

Done and ordered in open court in Vero Beach, Indian River County, Florida, this 24th day of October, 1997.


C. Pfeiffer Trowbridge
Senior Circuit Judge

25
OAKLAND, FLORIDA
RK CIRCUIT COURT
CIRCUIT COURT
15

Copies furnished:

Bruce Colton, State Attorney

Robert G. Udell, Esq., Defense Attorney

Clerk, Indian River County Circuit Court

DEATH WARRANT

STATE OF FLORIDA

WHEREAS, BILLY LEON KEARSE, on or about the 18th day of January, 1991, murdered Officer Danny Parrish; and

WHEREAS, BILLY LEON KEARSE, on the 22nd day of October, 1991, was convicted of first degree murder and robbery with a firearm and, on the 24th day of March, 1997, was sentenced to death for the murder of Officer Danny Parrish; and

WHEREAS, on the 22nd day of June, 1995, the Supreme Court of Florida affirmed the convictions of BILLY LEON KEARSE and, on the 29th day of June, 2000, affirmed the death sentence of BILLY LEON KEARSE; and

WHEREAS, on the 30th day of August, 2007, the Supreme Court of Florida affirmed the trial court order denying BILLY LEON KEARSE's initial Motion for Postconviction Relief and denied his Petition for Writ of Habeas Corpus; and

WHEREAS, on the 1st day of September, 2015, the United States District Court for the Southern District of Florida denied BILLY LEON KEARSE's federal Petition for Writ of Habeas Corpus; and

WHEREAS, on the 25th day of August, 2022, the United States Court of Appeals for the Eleventh Circuit affirmed the denial of BILLY LEON KEARSE's federal Petition for Writ of Habeas Corpus; and

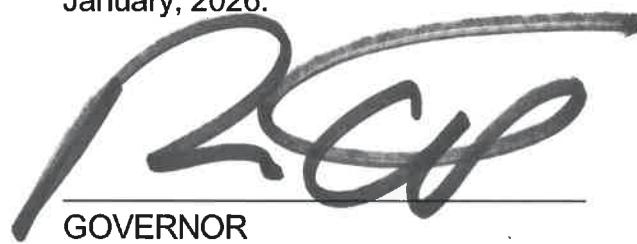
WHEREAS, further postconviction motions and petitions filed by BILLY LEON KEARSE have been denied and the denials affirmed on appeal; and

WHEREAS, executive clemency for BILLY LEON KEARSE, 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 BILLY LEON KEARSE, 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 29th day of January, 2026.



RON DE SANTIS

GOVERNOR

ATTEST:



JEFFEREY S. ESPOSITO

SECRETARY OF STATE

2026 JAN 29 PM 2:11 AM
FLORIDA STATE
LIBRARY, TALLAHASSEE, FL