

No. _____

In the Supreme Court of the United States

MELVIN TROTTER,
Petitioner,
v.
STATE OF FLORIDA,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
FLORIDA SUPREME COURT

APPENDIX TO THE PETITION FOR A WRIT OF CERTIORARI

CAPITAL CASE
DEATH WARRANT SIGNED
Execution Scheduled: February 24, 2026, at 6:00 PM ET

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APPENDIX A

Opinion of the Florida Supreme Court

Supreme Court of Florida

No. SC2026-0214

MELVIN TROTTER,
Appellant,

vs.

STATE OF FLORIDA,
Appellee.

No. SC2026-0217

MELVIN TROTTER,
Petitioner,

vs.

SECRETARY, DEPARTMENT OF CORRECTIONS,
Respondent.

February 17, 2026

PER CURIAM.

Melvin Trotter is a prisoner under sentence of death for whom a death warrant has been signed and an execution date set for February 24, 2026. He appeals the circuit court's order summarily

denying his successive motion for postconviction relief filed under Florida Rule of Criminal Procedure 3.851, petitions this Court for a writ of habeas corpus, and requests a stay of execution. We have jurisdiction. See art. V, § 3(b)(1), (9), Fla. Const. As we explain below, we affirm the summary denial of postconviction relief. We also deny Trotter's habeas petition and his request for a stay of execution.

I. FACTS AND PROCEDURAL BACKGROUND

Trotter was convicted of the 1986 first-degree murder of 70-year-old Virgie Langford. *Trotter v. State*, 576 So. 2d 691 (Fla. 1990). This Court explained:

On June 16, 1986, a truck driver went into Langford's grocery in Palmetto, Florida, and found the seventy-year-old owner, Virgie Langford, bleeding on the floor in the back of the store. She had suffered a large abdominal wound which resulted in disembowelment; there were a total of seven stab wounds. She told the driver that she had been stabbed and robbed. Several hours after the surgery for her wounds, the victim went into cardiac arrest and died.

Id. at 692. The jury recommended the death penalty, and the trial court sentenced Trotter to death. On direct appeal, this Court affirmed Trotter's first-degree murder conviction but reversed Trotter's death sentence and remanded for a new penalty phase.

At the conclusion of the new penalty phase, the jury again recommended that Trotter be sentenced to death. Upon finding that multiple aggravating factors were proven beyond a reasonable doubt and that the aggravating factors outweighed the mitigating circumstances, the trial court followed the jury's recommendation and sentenced Trotter to death. *Trotter v. State*, 690 So. 2d 1234, 1236 (Fla. 1996). In its sentencing order, the trial court found the following aggravating factors: (1) Trotter was on community control at the time of the murder; (2) Trotter had been convicted of a prior violent felony; (3) the murder took place while Trotter was engaged in a robbery (merged with pecuniary gain); and (4) the murder was especially wicked, evil, atrocious, and cruel. *Id.* at 1236 n.5.

The trial court found as statutory mitigation that at the time of the murder (1) Trotter was under the influence of extreme mental and emotional disturbance, and (2) Trotter's capacity to conform his conduct to the requirements of law was substantially impaired. As nonstatutory mitigation, the court found that (1) Trotter had a below average IQ, family and developmental problems, and a disadvantaged background; (2) Trotter may have suffered from a frontal lobe brain disorder (which the sentencing order indicated

“slowed down [Trotter’s] reaction times”); (3) Trotter was remorseful “to some degree”; and (4) other nonstatutory factors. *Id.* at 1236 nn.6-7.

Trotter’s convictions and sentences became final when the United States Supreme Court denied certiorari review on October 6, 1997. *Trotter v. Florida*, 522 U.S. 876 (1997).

Since that time, Trotter has unsuccessfully challenged his death sentence in state and federal courts. *See Trotter v. State*, 932 So. 2d 1045 (Fla. 2006) (affirming denial of initial motion for postconviction relief, denying state habeas petition, and affirming the rejection of Trotter’s claim of mental retardation under Florida Rule of Criminal Procedure 3.203); *Trotter v. State*, 10 So. 3d 633 (Fla. 2009) (unpublished table decision) (affirming denial of first successive motion for postconviction relief); *Trotter v. State*, 235 So. 3d 284 (Fla. 2018) (affirming denial of second successive motion for postconviction relief); *Trotter v. Sec’y, Dep’t of Corr.*, No. 8:06-cv-1872-T-17MSS, 2007 WL 3326672 (M.D. Fla. Nov. 6, 2007) (denying federal habeas petition); *Trotter v. Sec’y, Dep’t of Corr.*, 535 F.3d 1286 (11th Cir. 2008) (affirming denial of federal habeas relief).

Governor Ron DeSantis signed Trotter’s death warrant on January 23, 2026. On February 2, 2026, Trotter filed in the circuit court a motion for stay of execution and a successive motion for postconviction relief under rule 3.851 raising two claims: (1) the alleged failure of the Florida Department of Corrections (FDOC) to follow the published lethal injection procedures violates Trotter’s Eighth and Fourteenth Amendment rights under the United States Constitution and the corresponding provisions of the Florida Constitution; and (2) executing Trotter constitutes cruel and unusual punishment because of his advanced age and status as an elderly person.

On February 6, 2026, the circuit court summarily denied both of Trotter’s rule 3.851 claims and denied his motion to stay the execution. Trotter now appeals to this Court the circuit court’s denial of postconviction relief, petitions this Court for a writ of habeas corpus, and requests a stay of execution.

II. ANALYSIS

A. Successive Motion for Postconviction Relief

The “[s]ummary denial of a successive postconviction motion is appropriate [i]f the motion, files, and records in the case

conclusively show that the movant is entitled to no relief.’ ” *Owen v. State*, 364 So. 3d 1017, 1022 (Fla. 2023) (second alteration in original) (quoting *Bogle v. State*, 322 So. 3d 44, 46 (Fla. 2021)). We review the circuit court’s decision de novo, “accepting the movant’s factual allegations as true to the extent they are not refuted by the record, and affirming the ruling if the record conclusively shows that the movant is entitled to no relief.” *Id.* at 1022-23 (quoting *Walton v. State*, 3 So. 3d 1000, 1005 (Fla. 2009)). The circuit court did not err in summarily denying Trotter’s claims.

Trotter’s postconviction appeal raises two issues, the first of which involves his claim that FDOC maladministered certain lethal injection procedures in recent executions. According to Trotter, FDOC’s alleged failure to comply with the published procedures creates a sure or very likely risk of sufficiently imminent danger and thus violates his right to be free from cruel and unusual punishment. Second, Trotter, who recently turned 65 years old, argues that executing him at the age of 65 violates the protection against cruel and unusual punishment because of his status as an elderly person. We address each issue in turn and explain why Trotter is not entitled to relief.

1. Lethal Injection Procedures

Trotter challenges the summary denial of his claim that FDOC's alleged maladministration of the published procedures for execution by lethal injection violates his rights under the Eighth Amendment and corresponding provisions of the Florida Constitution. In support of this claim, Trotter alleges several examples of FDOC's maladministration of its procedures: ad hoc recordkeeping regarding the removal of lethal injection drugs from inventory; the administration of incorrect drug doses during certain executions; the use of a fourth drug, lidocaine, during certain executions; the use of expired drugs during certain executions; and the failure to contemporaneously document and accurately record the drugs used in executions. Trotter maintains that these instances—based on evidence submitted in a federal lawsuit brought by since-executed inmate Frank Walls—constitute “a per se violation of [his] constitutional rights under the [Eighth] Amendment” due to “sure or very likely risks of sufficiently imminent danger.”

While Trotter contends that his lethal injection claim is not a traditional “method-of-execution claim,” the gist of his argument

remains that executing him by lethal injection—given the allegations he raises—constitutes cruel and unusual punishment. Thus, to obtain relief, Trotter must: “(1) establish that the method of execution presents a substantial and imminent risk that is sure or very likely to cause serious illness *and* needless suffering and (2) identify a known and available alternative method of execution that entails a significantly less severe risk of pain.” *Asay v. State*, 224 So. 3d 695, 701 (Fla. 2017) (emphasis added) (citing *Glossip v. Gross*, 576 U.S. 863, 877 (2015)). The circuit court did not err in denying an evidentiary hearing on nor in summarily denying this claim. *See Heath v. State*, 2026 WL 320522, at *3 (Fla. Feb. 3) (stating that “speculative and conclusory allegations that lethal injection protocols present a substantial risk of serious harm are insufficient to warrant an evidentiary hearing” (citing *Cole v. State*, 392 So. 3d 1054, 1065 n.18 (Fla. 2024))), *cert. denied*, 2026 WL 363902 (U.S. Feb. 10, 2026).

Trotter acknowledges that his allegations are substantively similar to those we recently addressed in the postconviction appeal of recently executed inmate Ronald Heath. In *Heath*, we explained:

The question is not whether protocol deviations occurred but whether the defendant's allegations would demonstrate a substantial and imminent risk that is sure or very likely to cause serious illness and needless suffering. Heath's allegations would not demonstrate such a risk. The alleged failure to document the removal of drugs from inventory until one or two days after an execution would not, without more, show a substantial and imminent risk that is sure or very likely to cause serious illness and needless suffering during an execution. Nor would the alleged failure to log the removal of etomidate from inventory establish such a risk where the autopsy indicates the drug was, in fact, administered. The allegation that lidocaine was administered on two occasions certainly would not establish a risk of needless suffering. Heath's suggestion that inventory removals on dates that "seemingly correspond[]" to executions and reflect amounts less than required by the protocol show that incorrect doses were used is speculative and Heath does not allege that such incorrect doses would create a demonstrated risk of severe pain. The same is true of the alleged use of expired drugs and the execution that took twenty minutes and allegedly involved movement. *None of Heath's allegations would establish that the method of execution presents a substantial and imminent risk that is sure or very likely—in other words, a virtual certainty—to cause serious illness and needless suffering.*

Id. (alteration in original) (emphasis added).

However, Trotter argues that his lethal injection claim sufficiently pleads "a substantial and imminent risk that is sure or very likely to cause serious illness and needless suffering during an execution" and that *Heath* is distinguishable on this basis. We

disagree.

In addition to the Walls documents, Trotter also relies on an affidavit submitted by Dr. Daniel Buffington, a clinical pharmacologist. However, similar to *Heath*, the outcomes suggested in the affidavit are speculative and thus do not demonstrate “a substantial and imminent risk that is sure or very likely—in other words, a virtual certainty—to cause serious illness and needless suffering.” *Id.*

Moreover, because Trotter incorrectly maintains that the *Glossip* requirements do not apply to his claim, he fails to identify an alternative method of execution.

Trotter is not entitled to relief, and we affirm the circuit court’s denial of this claim.

2. Execution of the Elderly

Trotter also urges this Court to hold that his advanced age and status as an elderly person exempt him from execution on Eighth Amendment grounds because carrying out his death sentence by execution at 65 years of age runs afoul of evolving standards of decency and would constitute cruel and unusual punishment. The circuit court did not err in denying this claim.

Trotter’s Eighth Amendment argument in favor of a categorical ban on the execution of the elderly is similar to that raised in *Smithers v. State*, 420 So. 3d 460 (Fla.), *cert. denied*, 146 S. Ct. 323 (2025). *Smithers*, who was also under an active death warrant, argued that executing him at age 72 would constitute cruel and unusual punishment. There, we observed that “[p]resently, the United States Supreme Court—and this Court—recognize only one age-based death penalty exemption, which prohibits the imposition of the death penalty on individuals who were under the chronological age of 18 at the time that their capital crimes were committed.” *Id.* at 465 (citing *Roper v. Simmons*, 543 U.S. 551, 578 (2005)). Trotter asks this Court to revisit our holding in *Smithers*. We decline to do so.

In rejecting *Smithers*’ claim that executing him at age 72 would constitute cruel and unusual punishment, we observed:

Because the Supreme Court has interpreted the Eighth Amendment to limit the exemption from execution . . . based on age to those whose chronological age was less than eighteen years at the time of their capital crime(s), this Court is bound by those interpretations and is precluded from interpreting Florida’s prohibition against cruel and unusual punishment to exempt . . . those whose chronological age was over eighteen years at the time of their capital crime(s).

Id. (omissions in original) (quoting *Gudinas v. State*, 412 So. 3d 701, 713 (Fla. 2025)). We concluded that “to the extent we view Smithers’ argument as precluded by United States Supreme Court precedent, we are bound by the conformity clause [of the Florida Constitution],” *id.* at 466, meaning that

the Supreme Court’s interpretation of the Eighth Amendment is both the floor and the ceiling for protection from cruel and unusual punishment in Florida, and this Court cannot interpret Florida’s prohibition against cruel and unusual punishment to provide protection that the Supreme Court has decided is not afforded by the Eighth Amendment.

Ford v. State, 402 So. 3d 973, 979 (Fla.) (quoting *Barwick v. State*, 361 So. 3d 785, 794 (Fla. 2023)), *cert. denied*, 145 S. Ct. 1161 (2025).

Trotter argues that because the United States Supreme Court has not expressly addressed whether the elderly are categorically exempt from execution, this Court is not bound by the conformity clause and may expand Eighth Amendment protections to the execution of the elderly. However, as we stated in *Gudinas*:

While the states are required to adhere to the Supreme Court’s Eighth Amendment jurisprudence, *neither the Eighth nor Fourteenth Amendments require states to expand the protections afforded by the Eighth Amendment*

or to interpret their own corresponding state constitutional prohibitions against cruel and unusual punishment in a more expansive manner than the Supreme Court has interpreted the federal prohibition.

412 So. 3d at 714 (emphasis added). Consistent with our analyses in *Smithers* and *Gudinas*, we again decline to expand the prohibition against cruel and unusual punishment to include individuals 65 years of age and older. As such, we affirm the circuit court's summary denial of relief on this issue.

B. Habeas Petition

In his habeas petition, Trotter requests a stay of execution and an independent investigation of FDOC's compliance with Florida's published lethal injection procedures. According to Trotter, new evidence suggests that FDOC is not following its published procedures and is thereby creating a substantial likelihood of serious injury and needless suffering. Trotter is not entitled to the relief he seeks.

Even if we were to assume that Trotter's habeas claim is properly before this Court, this claim is based on the same allegations raised in his post-warrant successive motion for postconviction relief—a motion that the circuit court denied, and

the denial of which we affirm in this opinion. In fact, Trotter concedes that he presents “similar” issues in his postconviction appeal and in his habeas petition. He contends, however, that his habeas petition is sufficiently distinguishable from his successive postconviction appeal because the types of relief he seeks are different. Trotter notes that instead of seeking to have his death sentence vacated as in his successive postconviction appeal, here, he seeks a stay of execution and an investigation into FDOC’s compliance with its lethal injection procedures. Trotter’s attempt to circumvent a procedural bar is unavailing. Indeed, Trotter has “repackaged one of his postconviction claims as a habeas claim,” and for this reason, his habeas claim is procedurally barred. *Davis v. State*, 383 So. 3d 717, 742 (Fla. 2024). “[C]laims [that] were raised in [a] postconviction motion . . . cannot be relitigated in a habeas petition.” *Knight v. State*, 923 So. 2d 387, 395 (Fla. 2005).

Trotter’s habeas claim also fails on the merits for the same reason that his postconviction claim fails: he has not “(1) establish[ed] that the method of execution presents a substantial and imminent risk that is sure or very likely to cause serious illness *and* needless suffering,” nor has he “(2) identif[ied] a

known and available alternative method of execution that entails a significantly less severe risk of pain.” *Asay*, 224 So. 3d at 701 (emphasis added) (citing *Glossip*, 576 U.S. at 877).

III. CONCLUSION

For these reasons, we affirm the denial of Trotter’s successive motion for postconviction relief and deny his habeas petition. As such, we decline to order a stay of execution.

No oral argument is required, no motion for rehearing will be considered, and the mandate shall issue immediately.

It is so ordered.

MUÑIZ, C.J., and COURIEL, GROSSHANS, FRANCIS, SASSO, and TANENBAUM, JJ., concur.
LABARGA, J., concurs in result.

An Appeal from the Circuit Court in and for Manatee County,
Frederick P. Mercurio, Judge
Case No. 411986CF001225CFAXMA
And an Original Proceeding – Habeas Corpus

Eric Pinkard, Capital Collateral Regional Counsel, Mahham Syed, Assistant Capital Collateral Regional Counsel, Melody Jacquay-Acosta, Assistant Capital Collateral Regional Counsel, and Ann Marie Mirialakis, Assistant Capital Collateral Regional Counsel, Middle Region, Temple Terrace, Florida,

for Appellant/Petitioner

James Uthmeier, Attorney General, Tallahassee, Florida, Stephen D. Ake, Attorney Manager, Capital Appeals, and Michael W.

Mervine, Special Counsel, Assistant Attorney General, Tampa,
Florida,

for Appellee/Respondent

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APPENDIX B

Order (1) Denying Defendant's Fourth "Successive Rule 3.851 Motion to Vacate Sentence of Death" After a Signed Death Warrant and (2) Denying Defendant's Motion for a Stay of Execution

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA**

STATE OF FLORIDA,

Plaintiff

**Case No.: 1986-CF-001225 AX
FSC Case No.: SC1960-82142**

v.

MELVIN TROTTER,

Defendant.

**DEATH WARRANT SIGNED
EXECUTION SCHEDULED FOR
FEBRUARY 24, 2026, 6:00 PM**

_____ /

**ORDER (1) DENYING DEFENDANT'S FOURTH "SUCCESSIVE RULE 3.851
MOTION TO VACATE SENTENCE OF DEATH"
AFTER A SIGNED DEATH WARRANT
AND (2) DENYING DEFENDANT'S MOTION FOR A STAY OF EXECUTION**

THIS CAUSE came before the Court on Defendant's "Successive Rule 3.851 Motion to Vacate Sentence of Death" and "Defendant's Motion for a Stay of Defendant's Execution Until the Conclusion of an Investigation of FDOC's Compliance of Its 'Lethal Injection Procedure,'" both filed February 2, 2026. The State filed Responses to both on February 3, 2026, and the Court held a case management (*Huff*¹) hearing on February 4, 2026, after which the Court entered an order determining that all of Defendant's claims for relief could be resolved by a review of the record and as a matter of prevailing law without an evidentiary hearing. After considering Defendant's Motions, the State's Responses, the court file and record, applicable law, as well as arguments of counsel, and being

¹ *Huff v. State*, 622 So. 2d 982 (Fla. 1993).

otherwise duly advised of the premises, for the reasons stated below, the Court finds that Defendant is not entitled to any relief.

FACTUAL BACKGROUND AND PROCEDURAL HISTORY

In its opinion affirming Defendant's conviction, the Florida Supreme Court summarized the facts of this case as follows:

On June 16, 1986, a truck driver went into Langford's grocery in Palmetto, Florida, and found the seventy-year-old owner, Virgie Langford, bleeding on the floor in the back of the store. She had suffered a large abdominal wound which resulted in disembowelment; there were a total of seven stab wounds. She told the driver that she had been stabbed and robbed. Several hours after the surgery for her wounds, the victim went into cardiac arrest and died.

The jury found Trotter guilty of robbery with a deadly weapon and first-degree murder and recommended the death penalty by a nine-to-three vote. The trial court found four aggravating circumstances and four mitigating circumstances. Finding the aggravating circumstances outweighing the mitigating circumstances, the court sentenced Trotter to death.

Trotter v. State, 576 So. 2d 691, 692 (Fla. 1990). The Florida Supreme Court affirmed Defendant's conviction but reversed and remanded for a new sentencing phase. *Id.*

At resentencing on April 21, 1993, a jury again recommended the death penalty by a vote of eleven to one, and the Court again imposed the death sentence. *Trotter v. State*, 690 So. 2d 1234, 1236 (Fla. 1996), *cert. denied*, 522 U.S. 876 (1997). In doing so, the sentencing judge observed:

Virgie Langford was killed in the store which she owned and ran for many years. As with every such proprietor, her store was undoubtedly her second home. She was stabbed seven times and, in fact, was disemboweled. As she was removed to the hospital for treatment[,] she was conscious and was holding her intestines. She

was alive for a considerable time after the attack and was aware of her terrible condition. The victim was seventy years old and met her death at the hands of a healthy, muscular young man, who obviously could have subdued his victim with little effort. The number and force of the stabbings greatly exceeded that needed to subdue the robbery victim. The Defendant was clearly 'utterly indifferent to the suffering' of Virgie Langford.²

Indeed, as noted by a federal district judge on *habeas* review,

Trotter took seventy year old Virgie Langford around the neck in a strangle hold, and stabbed her seven times. The stab wounds cut into her pancreas, liver, and stomach. One wound was eight inches deep. One cut was severe enough to disembowel her. Virgie Langford was conscious after the attack, and held her intestines while being taken to the hospital, where she eventually died of heart failure. *Trotter took her money and food stamps, left her for dead, and then bought and smoked crack.*

Trotter v. Sec'y, Dep't of Corr., 2007 WL 3326672 at *1 (M.D. Fla. Nov. 6, 2007)

(internal citations removed) (emphasis added).

In total, upon resentencing, the Court found four aggravators,³ two statutory mitigators,⁴ and several non-statutory mitigating circumstances,⁵ and ultimately concluded that the aggravating circumstances outweighed the mitigating circumstances before sentencing Trotter to death.⁶ On appeal, the Florida Supreme Court affirmed Trotter's sentence of death,⁷ and the United

² "Sentence – First Degree Murder," filed July 23, 1993, at 2-3 (See Attachment 1).

³ *Trotter*, 690 So. 2d at 1236 fn. 5 ("Trotter was on community control at the time of the murder; Trotter had been convicted of a prior violent felony; the crime took place while Trotter was engaged in a robbery and was for pecuniary gain (although the court listed these two circumstances separately in its written order, it stated at sentencing that it considered the two as a single factor); and the murder was especially wicked, evil, atrocious and cruel.").

⁴ *Id.* at fn. 6 ("Trotter was under the influence of extreme mental and emotional disturbance; and the capacity of the defendant was substantially impaired.").

⁵ *Id.* at fn. 7 ("Trotter has a below average I.Q., has both family and developmental problems, and has a disadvantaged background; Trotter may have suffered from a frontal lobe brain disorder; the defendant is remorseful; and other nonstatutory factors.").

⁶ "Sentence – First Degree Murder," filed July 23, 1993, at 4.

⁷ *Trotter*, 690 So. 2d at 1237.

States Supreme Court subsequently denied discretionary certiorari review.

Trotter v. Florida, 522 U.S. 876 (1997).

Defendant filed his initial “Motion to Vacate Judgment of Conviction and Sentence With Special Request for Leave to Amend,” pursuant to Fla. R. Crim. P. 3.850, on June 8, 1998, raising eight claims for relief:

1. Trial counsel was ineffective for failing to timely challenge the validity of his prior violent felony conviction and failing to present evidence regarding the circumstances of that prior crime;
2. Trial counsel was ineffective for not having the assistance of a competent mental health expert;
3. Trial counsel was ineffective for failing to provide mental health experts with available information necessary for diagnosis of Defendant;
4. Trial counsel was ineffective for conceding guilt during the guilt phase closing argument;
5. Execution by lethal injection or electrocution is unconstitutional;
6. Florida’s death penalty sentencing statute is unconstitutional on its face and as applied;
7. The penalty phase jury instructions unconstitutionally shifted the burden to Defendant; and
8. Cumulative errors were not harmless.⁸

After an evidentiary hearing on four of the claims, the Court denied the motion in its entirety. Defendant filed an appeal in Case No. SC03-735.⁹ Defendant also filed a state petition for habeas corpus in Case No. SC03-1967, raising two claims:

1. Defendant’s death sentence was unconstitutional under *Apprendi v. New Jersey*¹⁰ and *Ring v. Arizona*;¹¹ and
2. Defendant may be incompetent at the time of execution.¹²

⁸ *Trotter v. State*, 932 So. 2d 1045, 1048 n.4 (Fla. 2006).

⁹ *Id.* at 1048.

¹⁰ 530 U.S. 466 (2000).

¹¹ 536 U.S. 584 (2002).

¹² *Trotter*, 932 So. 2d at 1053.

After promulgation of Florida Rule of Criminal Procedure 3.203 and upon Defendant's motion, during the pendency of his appeal, the Florida Supreme Court relinquished jurisdiction for a determination of Defendant's alleged intellectual disability.¹³ This Court determined Defendant was not "mentally retarded" or intellectually disabled to bar execution.¹⁴ The Florida Supreme Court affirmed that finding, affirmed the denial of Defendant's postconviction motion, and denied Defendant's state habeas petition.¹⁵

Defendant filed a federal habeas petition on October 11, 2006, which the district court denied. *Trotter v. Sec'y, Dep't of Corr.*, 2007 WL 3326672 (M.D. Fla. Nov. 6, 2007). The Eleventh Circuit affirmed the district court's decision, and the U.S. Supreme Court denied Defendant's petition for writ of certiorari on December 15, 2008. *Trotter v. Sec'y, Dep't of Corr.*, 535 F.3d 1286 (11th Cir. 2008), *cert. denied*, 555 U.S. 1087 (2008).

Defendant then filed a successive Rule 3.851 motion on October 15, 2007 (amended on December 26, 2007), raising three claims challenging Florida's lethal injection procedures. By an order rendered June 18, 2008, the Court summarily denied the motion. Defendant appealed two of the claims, and the Florida Supreme Court affirmed the summary denial. *Trotter v. State*, 10 So. 3d 633 (Fla. 2009) (affirming denial of Defendant's (1) claim that "Florida's lethal injection procedures violate the constitutional prohibitions against cruel and unusual punishment" and (2) challenge to the constitutionality of section

¹³ *Id.* at 1048.

¹⁴ *Id.*

¹⁵ *Id.* at 1054.

945.10, Fla. Stat. (2006), “which exempts from disclosure as public record the identity of the members of the execution team and the executioners”).

On January 5, 2017, Defendant filed a second successive Rule 3.851 motion, requesting the Court vacate his death sentence in this case under *Hurst v. Florida*, 577 U.S. 92 (2016), and its Florida progeny. By order rendered March 10, 2017, the Court found “the fundamental constitutional rights relied on by Defendant have not been held to apply retroactively to this case” and summarily denied Defendant’s second successive Motion to Vacate Death Sentence as untimely. The Florida Supreme Court affirmed the summary denial. *Trotter v. State*, 235 So. 3d 284 (Fla. 2018).

On January 23, 2026, Governor Ron DeSantis signed a death warrant to carry out the sentence of death imposed on Defendant. As a result, on the same day, the Florida Supreme Court issued a scheduling order requiring all proceedings in this Court to be concluded by 11:00 a.m. on Friday, February 6, 2026. Defendant’s execution is scheduled for Tuesday, February 24, 2026, at 6:00 p.m.

Meanwhile, on January 27, 2026, Defendant filed demands for additional public records from the Florida Department of Corrections (“FDOC”) and the Florida Department of Law Enforcement (“FDLE”), both of which objected to the entirety of Defendant’s demands, and by orders rendered January 29, 2026, the Court sustained both FDOC’s and FDLE’s objections. Defendant filed an appeal of those denials in Case No. SC2026-0168.

As previously noted, along with his present “Successive Rule 3.851 Motion

to Vacate Sentence of Death,” Defendant also filed a “Motion for a Stay of Defendant’s Execution Until the Conclusion of an Investigation of FDOC’s Compliance of Its ‘Lethal Injection Procedure.’” The State has filed responses to both Motions. The Court will address each in turn.

APPLICABLE RULE 3.851 PROCEDURAL LAW

A defendant sentenced to death is permitted to file a successive motion for collateral relief outside of the standard one-year time limitation only if:

(A) the facts on which the claim is predicated were unknown to the movant or the movant's attorney and could not have been ascertained by the exercise of due diligence, or

(B) the fundamental constitutional right asserted was not established within the period provided for in subdivision (d)(1) and has been held to apply retroactively, or

(C) postconviction counsel, through neglect, failed to file the motion.

Fla. R. Crim. P. 3.851(d)(2).

Even if an exception exists, successive postconviction claims may still be denied as untimely if there is a delay in raising those claims. *See Rodgers v. State*, 288 So. 3d 1038, 1039 (Fla. 2019) (to be considered timely filed as newly discovered evidence, the motion must be filed within one year of the date upon which the claim became discoverable through due diligence). Claims that either were or could have been raised on appeal or in prior postconviction proceedings are not properly raised in a successive motion. *See King v. State*, 597 So. 2d 780, 782 (Fla. 1992) (holding that claims were barred because they could have been, should have been, or were raised in a prior proceeding).

Summary denial is appropriate where successive postconviction claims are

refuted by the record. See Fla. R. Crim. P. 3.851(f)(5)(B); see also *Bogle v. State*, 322 So. 3d 44, 46 (Fla. 2021) (“Summary denial of a successive postconviction motion is appropriate ‘[i]f the motion, files, and records in the case conclusively show that the movant is entitled to no relief.’”). Likewise, summary denial of purely legal claims is appropriate where such claims are without merit under controlling precedent. See *Mann v. State*, 112 So. 3d 1158, 1162-63 (Fla. 2013) (because Mann raised purely legal claims that have been previously rejected, the circuit court properly summarily denied relief). Moreover, mere conclusory or speculative allegations are not sufficient to warrant an evidentiary hearing. *Jimenez v. State*, 265 So. 3d 462, 474 (Fla. 2018). Rather, “the defendant bears the burden of ‘establishing a *prima facie* case based on a legally valid claim.’” *Barnes v. State*, 124 So. 3d 904, 911 (Fla. 2013) (quoting *Valentine v. State*, 98 So. 3d 44, 54 (Fla. 2012)). If a defendant fails to set forth a facially sufficient Rule 3.851 claim, summary denial is appropriate. *Doty v. State*, 403 So. 3d 209 (Fla. 2025) (citing *Kocaker v. State*, 311 So. 3d 814, 821 (Fla. 2020)).

With this framework in mind, the Court has reviewed the two claims raised in Defendant’s present fourth successive motion and finds that his claims are untimely, legally insufficient, procedurally barred, or without merit, and therefore, can be summarily denied.

ANALYSIS OF DEFENDANT’S CLAIMS PRESENTED

CLAIM 1 – LETHAL INJECTION

In his first claim for relief, Defendant alleges that the FDOC’s failure to follow its published Execution by Lethal Injection Procedures is a violation of

Defendant's Eighth and Fourteenth Amendment Rights under the United States Constitution and the corresponding provisions of the Florida Constitution. Pointing to "evidence" (i.e., heavily redacted FDOC logs)¹⁶ presented in a federal lawsuit by recently executed inmate, Frank Walls,¹⁷ Defendant alleges such records indicate that FDOC's "ability to competently carry out its own Execution by Lethal Injection Procedures has been seriously compromised."¹⁸ Defendant further asserts that such heavily redacted FDOC logs "have exposed the routine maladministration of critical phases of the execution process and raise serious concerns over the implementation of the written execution protocols."¹⁹ In support of this claim, Defendant alleges "FDOC records reveal that the department has been documenting its removal of execution drugs on an *ad hoc* basis, typically after an execution takes place."²⁰

For example, Defendant refers to the execution of Michael Bell on July 15, 2025, and alleges:

[T]he corresponding inventory log shows that FDOC did not record removing rocuronium bromide or potassium acetate until the next day, July 16, 2025. Even more concerning, the logs contain no entry indicating that etomidate was removed on a date corresponding to Bell's execution at all, despite the postmortem presence of etomidate in his bloodstream.²¹

Thus, with the Michael Bell example, Defendant argues that Bell must have been executed without proper documentation of etomidate being used, while

¹⁶ See Appendices D and E to Defendant's Successive Rule 3.851 Motion to Vacate Sentence of Death, filed February 2, 2026.

¹⁷ *Walls v. Dixon*, No. 4:25-cv-0488, ECF 1 (N.D. Fla. Nov. 26, 2025).

¹⁸ Defendant's Successive Rule 3.851 Motion to Vacate Sentence of Death, at 2.

¹⁹ *Id.* at 3.

²⁰ *Id.*

²¹ *Id.* at 3-4.

simultaneously admitting that etomidate was found in Bell's system during an autopsy.

Defendant further faults “the timeliness of when drugs were recorded as being removed”²² by pointing to dates reflected in the heavily redacted FDOC logs when certain drugs—namely etomidate, rocuronium bromide, and potassium acetate—were “removed” on June 25, 2025, and June 12, 2025, and comparing those to the preceding execution dates of Thomas Gudinas on June 24, 2025, and Anthony Wainwright on June 10, 2025, respectively. Defendant also alleges, “The issues are not limited only to the timeliness of recording when drugs were checked out and to what drugs were checked out, they also extend to the actual amount of drugs being checked out.”²³ Specifically, Defendant surmises that “[v]ariations in the amounts being removed *for an execution* would indicate incorrect dosages during multiple executions.”²⁴ In addition, Defendant alleges, “The logs even show that at times, FDOC may have implemented a four-drug protocol,” because the heavily redacted logs indicate that “[d]uring the executions of Edward James and Michael Tanzi, FDOC withdrew lidocaine[, which is not contemplated within Florida’s lethal injection protocols,] from the Lethal Injection Drug Log.”²⁵

Still relying on the heavily redacted FDOC logs, Defendant further alleges those “logs *may* also indicate the use of expired drugs”²⁶ because they

²² *Id.* at 4.

²³ *Id.*

²⁴ *Id.* (emphasis added).

²⁵ *Id.* at 5.

²⁶ *Id.* (emphasis added).

purportedly “recorded the preparation of etomidate with an expiration date of January 31, 2025, corresponding to the executions of [four death row inmates]”²⁷ on September 30, 2025; September 17, 2025; August 28, 2025; and August 19, 2025, respectively.²⁸ Defendant relies on an affidavit of Daniel E. Buffington, PharmD, MBA, to support the claim that “administering expired lethal injection drugs during an execution is extremely dangerous because ‘the expiration date guarantees that a drug will retain its full potency and safety when stored as directed’” and “[u]tilization of substances that are expired *may* have reduced pharmacologic effect or produce unanticipated or unnecessary complications . . . result[ing] in unnecessary pain or discomfort or an unexpected termination of the execution procedure prior to the inmate’s death.”²⁹

After outlining all his lethal injection concerns, Defendant acknowledges that FDOC “is entitled to the presumption that it will comply with the lethal injection protocol,” but then he argues that “FDOC loses the presumption that it will comply with the lethal injection protocol when there is evidence that they have deviated from the protocols as written.”³⁰ Defendant maintains that “[t]he records obtained in *Walls v. Dixon*, No. 25-cv-0488, ECF 1 (N.D. Fla. Nov. 26,

²⁷ *Id.* at 5-6.

²⁸ *But see Muhammad v. State*, 132 So. 3d 176, 193 (Fla. 2013) (applying strong presumption in favor of FDOC and observing: “The lethal injection protocol expressly requires that a designated execution team member will purchase the lethal chemicals to be used in the execution and will ‘ensure that the lethal chemicals *have not reached or surpassed their expiration dates.*’ In addition, the protocol calls for the FDLE monitor to confirm that all lethal chemicals ‘are correct and current.’ We will not presume that the DOC will violate its own protocol in regard to assuring that the lethal drugs have not surpassed their expiration dates.”).

²⁹ Defendant’s Successive Rule 3.851 Motion to Vacate Sentence of Death, at 6 (emphasis added).

³⁰ *Id.*

2025), show multiple deviations from that constitutionally protected protocol” and concludes that he has pierced the presumption afforded and “established that FDOC’s abrogation of it’s [sic] own protocol creates . . . ‘sure or very likely risks of sufficiently imminent danger.’”³¹

To conclude his allegations in Claim 1, Defendant alleges that the *Baze-Glossip*³² test does not apply to his present claim because “the method-of-execution is not what is at issue here.”³³ Rather, Defendant contends, “What is at issue is that a failure to comply with the constitutionally prescribed means of execution violates the Eighth Amendment’s guarantee to be free from cruel and unusual punishment.”³⁴ During the *Huff* hearing, defense counsel attempted to clarify its argument, stating “FDOC must comply with [Fla. Stat. § 922.105]” but “they have failed to do so.”³⁵ Citing subsections (4) and (5) of that statute, defense counsel further argued, “Nowhere in the statute does it specify that FDOC is entitled to change the process once it’s been established,” but “[w]e argue that changes made by FDOC, unlike those made by the Legislature, are violative of the Constitution.”³⁶ The defense maintains that they “have shown specific instances of [FDOC’s] noncompliance” and deviation from their published lethal injection protocol and avers that “[n]oncompliance with the procedure is a *per se* violation of the constitution[al] rights of the inmate.”³⁷

³¹ *Id.* at 8 (quoting *Asay v. State*, 224 So. 3d 695, 701 (Fla. 2017)).

³² *Baze v. Rees*, 553 U.S. 35 (2008) (plurality opinion); *Glossip v. Gross*, 576 U.S. 863 (2015).

³³ Defendant’s Successive Rule 3.851 Motion to Vacate Sentence of Death, at 11.

³⁴ *Id.*

³⁵ *Huff* Hearing Transcript, dated February 4, 2026, at 5.

³⁶ *Id.*

³⁷ *Id.* at 6.

For relief, Defendant moves the Court to vacate his sentence of death or at least enter a stay of his execution. Notably, Defendant acknowledges in his motion that “[s]imilar allegations have been raised in the capital case of Ronald Heath, currently awaiting decision before the Florida Supreme Court.”³⁸ As will be discussed further below, however, the Florida Supreme Court has recently affirmed the denial of Heath’s almost identical postconviction claims.

In its Response, the State moves the Court to summarily deny Defendant’s postconviction motion on the basis that “[e]ach claim is untimely, procedurally barred, and/or legally insufficient.”³⁹ More specifically, the State argues “Trotter’s method-of-execution claim that the FDOC has violated its lethal injection protocol is based entirely on speculation and conclusory allegations and is legally insufficient as a matter of law . . . to either pierce the presumption that FDOC follows its protocol or to show a facially sufficient method-of-execution claim.”⁴⁰

“To challenge a method of execution under the Eighth Amendment’s prohibition of cruel and unusual punishment, [a defendant] must ‘(1) establish that the method of execution presents a substantial and imminent risk that is *sure or very likely* to cause serious illness and needless suffering and (2) identify a known and available alternative method of execution that entails a significantly less severe risk of pain.’” *Cole v. State*, 392 So. 3d 1054, 1064–65 (Fla. 2024)

³⁸ Defendant’s Successive Rule 3.851 Motion to Vacate Sentence of Death, at 6.

³⁹ State’s Answer to Trotter’s Fourth Successive Motion for Postconviction Relief, filed February 3, 2026, at 1.

⁴⁰ *Id.* at 4-5.

(quoting *Asay v. State*, 224 So. 3d 695, 701 (Fla. 2017) (emphasis added). “*Speculative and conclusory* allegations that lethal injection protocols present a substantial risk of serious harm,” however, “are insufficient to warrant an evidentiary hearing.” *Heath v. State*, No. SC2026-0112, --- So. 3d ---, *8-9 (Fla. Feb. 3, 2026) (emphasis added).

For the following reasons, the Court agrees with the State’s response and finds Defendant is not entitled to any of the relief he seeks. First, Defendant’s allegations—that FDOC’s administration of its own lethal injection protocol violates the Eighth and Fourteenth Amendments—are speculative and conclusory. As in *Heath*, each of Defendant’s “allegations of maladministration in 2025 stem from documents . . . which included pages listing fields such as ‘drug name,’ ‘package size,’ and ‘date,’ among others.” *Id.* at *8. Defendant’s present claims are based on the same heavily redacted FDOC logs that were at issue in *Heath* and about which the Florida Supreme Court just adeptly opined,

The question is not whether protocol deviations occurred but whether the defendant’s allegations would demonstrate a substantial and imminent risk that is **sure** or **very likely** to cause serious illness and needless suffering. Heath’s allegations would not demonstrate such a risk. ***The alleged failure to document the removal of drugs from inventory until one or two days after an execution would not, without more, show a substantial and imminent risk that is sure or very likely to cause serious illness and needless suffering during an execution. Nor would the alleged failure to log the removal of etomidate from inventory establish such a risk where the autopsy indicates the drug was, in fact, administered. The allegation that lidocaine was administered on two occasions certainly would not establish a risk of needless suffering. Heath’s suggestion that inventory removals on dates that “seemingly correspond[]” to executions and reflect amounts less than required by the protocol show that incorrect doses were used is speculative***

and Heath does not allege that such incorrect doses would create a demonstrated risk of severe pain. The same is true of the alleged use of expired drugs and the execution that took twenty minutes and allegedly involved movement. **None of Heath's allegations would establish that the method of execution presents a substantial and imminent risk that is sure or very likely—in other words, a virtual certainty—to cause serious illness and needless suffering.**

Id. at *9-10 (emphasis added). In addition to the *Heath* Court's timely binding precedent, in the instant action, none of the heavily redacted FDOC log pages contain any executed defendant's name or indicate that any of the drugs listed were used during any execution, further prompting a finding that Defendant's purported "evidence" of FDOC's alleged maladministration of its protocols is based on speculation and conjecture. Highlighting the speculative nature of his claims is Defendant's failure to acknowledge, much less foreclose, reasonable alternative interpretations of the heavily redacted FDOC logs. For example, it is possible that the reason FDOC's logs reflect expired etomidate being "removed" was *for the purpose of discarding or destroying it* rather than using it for an execution.⁴¹ Based on the foregoing, the Court concludes that Defendant Trotter's allegations in Claim 1 are conclusory and speculative.

Second, Defendant's allegations in Claim 1 are legally insufficient in that he fails to identify any alternative method of execution, much less a sufficient one. Thus, Defendant's claim fails the second prong of the *Baze-Glossip* requirements. See *Asay v. State*, 224 So. 3d 695, 701 (Fla. 2017) (citing *Glossip*,

⁴¹ See Execution by Lethal Injection with Certification Letter (Appendix C to "Defendant's Successive Rule 3.851 Motion to Vacate Sentence of Death"), at 5 (requiring in subsection (6) of the "Specific Procedures" section that a "designated team member will ensure that the lethal chemicals have not reached or surpassed their expiration dates").

576 U.S. at 877). Furthermore, contrary to Defendant's assertion that the *Baze-Glossip* test does not apply to his present claim, the U.S. Supreme Court has unequivocally opined that "*Glossip* left no doubt that this standard [*i.e.*, the requirement that a prisoner must show a feasible and readily implemented alternative method of execution that would significantly reduce a substantial risk of severe pain] governs 'all Eighth Amendment method-of-execution claims.'" *Bucklew v. Precythe*, 587 U.S. 119, 134 (2019) (citing *Glossip*, 576 U.S. at 867 (emphasis added)). In the same opinion, the U.S. Supreme Court further observed: "[T]he Constitution affords a 'measure of deference to a State's choice of execution procedures' and does not authorize courts to serve as 'boards of inquiry charged with determining 'best practices' for executions.'" *Bucklew*, 587 U.S. at 134. In any event, in *Bucklew*, the U.S. Supreme Court held Bucklew's claim that he should not have to prove an alternative method of execution in his as-applied challenge was "foreclosed by precedent" and reiterated that "*Glossip* expressly held that identifying an available alternative is "a requirement of all Eighth Amendment method-of-execution claims." *Id.* at 136. Moreover, as in *Heath*, to the extent that Defendant's request to stay his execution—"until and unless the Departments disclose records demanded and until there is a full and independent investigation completed regarding FDOC's compliance with and carrying out of lethal injection executions in compliance with the constitutionally accepted lethal injection procedure/protocol"⁴²—could be construed as a

⁴² "Defendant's Motion for a Stay of Defendant's Execution Until the Conclusion of an Investigation of FDOC's Compliance of Its 'Lethal Injection Procedure,'" filed February 2, 2026, at 2.

proposed alternative method of execution, there has been no suggestion that FDOC does not “plan” to follow protocol in Trotter’s execution, and the claim is insufficiently pleaded. *Heath*, at *11.

Third, Defendant’s allegations in Claim 1 are also legally insufficient in that he fails to carry his burden to overcome the presumption afforded to FDOC. *See, e.g., Hannon v. State*, 228 So. 3d 505, 509 (Fla. 2017) (“The burden was on Hannon to overcome the presumption afforded to the DOC, and he failed to carry his burden.”), *abrogated on unrelated grounds by Cruz v. State*, 372 So. 3d 1237 (Fla. 2023). It is well-settled and undisputed that FDOC is entitled to a presumption that it will properly perform its duties while carrying out an execution. *Lightbourne v. McCollum*, 969 So. 2d 326, 343 (Fla. 2007); *Provenzano v. State*, 761 So. 2d 1097, 1099 (Fla. 2000); *see also Cole v. State*, 392 So. 3d 1054, 1065 (Fla. 2024) (“[T]he Department of Corrections is entitled to the presumption that it will comply with the lethal injection protocol.”). Having already determined that Defendant’s claims are wholly speculative and conclusory, the Court finds they are insufficient to overcome the strong presumption that FDOC will properly comply with their Execution by Lethal Injection Procedures.

For the foregoing reasons, Defendant’s Claim 1 is summarily denied.

CLAIM 2 – EXECUTING THE ELDERLY

In his second claim for relief, Defendant, who is sixty-five years old, alleges that his execution constitutes cruel and unusual punishment because of his advanced age and status as an elderly person. He avers his execution “offends

the evolving standards of decency and is cruel and unusual punishment.”⁴³ As “objective indicia of society’s standards,” Defendant cites to “legislative enactments and state practice.”⁴⁴ He argues that Florida laws evince a “clear and expressed consensus of protecting the elderly,”⁴⁵ which he defines as age sixty-five or older for purposes of the instant motion, and cites legislation that provides for enhanced punishment for offenders and reclassification of offenses when the victim is over age sixty-five. Defendant posits that Florida legislation “reflects that evolving standards of decency reject the execution of the elderly.”⁴⁶

Defendant further contends his execution constitutes cruel and unusual punishment as the two stated purposes of the death penalty, retribution and deterrence, “are no longer accomplished by the execution of the elderly.”⁴⁷ He cites the reasoning in *Ford v. Wainwright*, 477 U.S. 399 (1986), *Atkins v. Virginia*, 536 U.S. 304 (2002), and *Roper v. Simmons*, 543 U.S. 551 (2005), and argues that an execution that has no deterrent or retributive value “amounts to vengeance, offending the dignity of society.”⁴⁸ He argues, “It is illogical to conclude that the execution of a prisoner who is elderly and has been incarcerated for more than three decades serves either a deterrent or retributive purpose.”⁴⁹

Defendant also notes the rarity of executions of the elderly. He cites

⁴³ Defendant’s Successive Rule 3.851 Motion to Vacate Sentence of Death, at 13.

⁴⁴ *Id.*

⁴⁵ *Id.* at 14.

⁴⁶ *Id.* at 15.

⁴⁷ *Id.*

⁴⁸ *Id.* at 17.

⁴⁹ *Id.*

statistics from the Death Penalty Information Center, which reflect that of the 1,654 post-*Furman* executions, only forty-five (2.7%) of those executed prisoners were age sixty-five or older. Defendant concludes that “[t]he objective evidence would suggest and support that rarity of the execution of the elderly reflects the evolved standards and supports the finding of the unusual nature of executing the elderly.”⁵⁰

In its Response, the State asserts that Defendant’s claim that the Eighth Amendment categorically bars his execution because he is elderly is untimely, procedurally barred, and legally insufficient, and should be summarily denied.

As previously noted, pursuant to Rule 3.851(d)(2), there are three exceptions to the requirement that a postconviction motion be filed within the time limitation contained in Rule 3.851(d)(1). Those exceptions are:

- (A) the facts on which the claim is predicated were unknown to the movant or the movant's attorney and could not have been ascertained by the exercise of due diligence, or
- (B) the fundamental constitutional right asserted was not established within the period provided for in subdivision (d)(1) and has been held to apply retroactively, or
- (C) postconviction counsel, through neglect, failed to file the motion.

The State contends Defendant does not allege, nor do his allegations in Claim 2 fall within, any of the exceptions provided in Rule 3.851(d)(2). The Court agrees. Defendant has not alleged any facts or law comporting with the exceptions available under (A) or (C). As for an exception contemplated under (B), as the State points out, Defendant “does not assert the retroactive application of an

⁵⁰ *Id.* at 20.

already recognized constitutional right.”⁵¹ Rather, Defendant moves this Court to adopt a new constitutional exemption from execution in the form of a categorical bar based on his status as an elderly person.

Attempting to circumvent the time bar, Defendant avers that his claim did not become ripe until he turned 65 on December 29, 2025. Conversely, citing § 825.101(4), Fla. Stat., the State counters that “Florida law defines ‘elderly person’ as one who is 60 years of age or older” and contends that Defendant’s claim became ripe when he turned 60 and is untimely because he “waited five additional years to raise it.”⁵² The Court does not find the State’s reliance on § 825.101(4) particularly applicable or persuasive, as the definition contained in that statute not only states that “‘elderly person’ means a person 60 years of age or older who is suffering from the infirmities of aging,” but it further narrows the definition of an elderly person to someone “who is suffering from the infirmities of aging *as manifested by advanced age or organic brain damage, or other physical, mental, or emotional dysfunctioning, to the extent that the ability of the person to provide adequately for the person’s own care or protection is impaired.*” § 825.101(4), Fla. Stat. (emphasis added). There has been no suggestion that Trotter falls within the narrower class of elderly persons contemplated in section 825.101(4).

Nonetheless, neither the statutes cited by Defendant (sections 784.08(1), 812.045, and 817.5695(2)), which are specifically designed to protect the elderly

⁵¹ State’s Answer to Trotter’s Fourth Successive Motion for Postconviction Relief, filed February 3, 2026, at 18.

⁵² *Id.*

of this state, nor any federal or Florida case law, prohibit execution of any person sentenced to death solely based on elderly status. Thus, it is clear that Defendant is not asserting a claim based on a newly recognized fundamental constitutional right that has ever been established. It follows that Defendant's claim also could not have been held to be retroactive. Defendant's claim seeks the declaration of a new constitutional right, which is not a claim that can be asserted beyond the limits established in Rule 3.851. Stated simply, Defendant's Claim 2 is untimely and without any valid exceptions. *See, e.g., Windom v. State*, 416 So. 3d 1140, 1147 (Fla. 2025) (holding "Windom cannot use the timeliness exception in rule 3.851(d)(2)(B) to affirmatively establish a new and retroactive constitutional right"); *Carroll v. State*, 114 So. 3d 883, 886 (Fla. 2013) ("What Carroll is seeking is the recognition of a new fundamental constitutional right, which is not properly pled under rule 3.851(d)(2)(B)."); *Waterhouse v. State*, 82 So. 3d 84, 97 (Fla. 2012) (holding that a claim which does not rely on a case in which an "established fundamental right" has previously been recognized does not satisfy any subdivision of rule 3.851(d)(2)), *cert denied*, 565 U.S. 1187 (2012).

Next, the State argues Defendant's Claim 2 is procedurally barred because it could have been raised in prior proceedings but Defendant waited until the Governor signed his death warrant to assert the claim. In support of its position, the State argues Defendant is attempting to "extend the reasoning" of *Ford v. Wainwright*, 477 U.S. 399 (1986) (prohibiting execution of insane prisoners), *Atkins v. Virginia*, 536 U.S. 304 (2002) (prohibiting execution of mentally retarded prisoners), and *Roper v. Simmons*, 543 U.S. 551 (2005) (prohibiting

execution of prisoners who were under 18 years old when their crimes were committed), to create a new age-based categorical exemption from execution.

The Court is inclined to agree. *See, e.g., Carroll v. State*, 114 So. 3d 883, 886 (Fla. 2013) (holding that an *Atkins/Roper* extension claim was procedurally barred because it could have been raised earlier); *see also Rogers v. State*, 409 So. 3d 1257, 1263 (Fla. 2025) (“[I]n an active warrant case, a postconviction claim that could have been raised in a prior proceeding is procedurally barred.”); *Gudinas v. State*, 412 So. 3d 701, 714 (Fla. 2025) (“Post-warrant claims that could have been raised in a prior proceeding are procedurally barred.” (citing *Rogers*, 409 So. 3d at 1263)). Nevertheless, even if Defendant’s Claim 2 is not procedurally barred, as explained below, it otherwise lacks merit.

The Court agrees with the State’s assertion that Defendant is not entitled to relief because his claim seeking an age-based categorical bar to execution of the elderly is foreclosed by application of the conformity clause and binding precedent. *See, e.g., Gudinas*, 412 So. 3d at 713 (holding even the Florida Supreme Court “lacks the authority to extend *Atkins* or *Roper*” due to the conformity clause); *Barwick v. State*, 361 So. 3d 785, 794 (Fla. 2023) (“Because the Supreme Court has interpreted the Eighth Amendment to limit the exemption from execution to those whose chronological age was less than eighteen years at the time of their crimes, this Court is bound by that interpretation and is precluded from interpreting Florida’s prohibition against cruel and unusual punishment to exempt individuals eighteen or more years old

from execution on the basis of their age”). Indeed, as the State points out, in *Smithers v. State*, 420 So. 3d 460 (Fla. 2025), the Florida Supreme Court expressly rejected Smithers’s claim “that his execution constitutes cruel and unusual punishment because of his advanced age and status as elderly” as foreclosed by Florida’s conformity clause. *Id.* at 464.

Next, the State alleges that Defendant has failed to establish any national consensus against executing elderly offenders and contends that “[t]o establish that evolving standards of decency prohibit a particular punishment, courts must examine legislative enactments and state practice. *Atkins*, 536 U.S. at 316; *Roper*, 543 U.S. at 563.”

Defendant’s assertion, that the scarcity of executions of persons over the age of sixty-five evinces evolving standards of decency, is conclusory and, as the State suggests, fails to establish that there is a national consensus against carrying out the death penalty due to an offender’s advanced age. Additionally, Defendant has failed to allege “any direct evidence of a societal aversion to executing the elderly, such as evidence demonstrating that juries disproportionately elect not to impose the death penalty for elderly offenders, or that governors are more likely to commute death sentences of older prisoners[,] or that any State has legislated against the execution of the elderly and infirm.” *Allen v. Ornoski*, 435 F.3d 946, 954 (9th Cir. 2006) (addressing a similar claim that due to the defendant’s age and infirmities, his execution would violate the Eighth Amendment). Defendant’s conclusion also fails to consider other reasons for the rarity of executions of the elderly, such as the possibility that “more

elderly persons die on death row before their appeals are exhausted.” *Id.* Accordingly, Defendant has failed to demonstrate that evolving standards of decency categorically prohibit the execution of elderly persons over the age of sixty-five. *See, e.g., Trop v. Dulles*, 356 U.S. 86, 101 (1958) (“The [Eighth] Amendment must draw its meaning from the evolving standards of decency that mark the progress of a maturing society.”).

Finally, the Court further finds Defendant’s arguments are not supported by the overarching rationale in *Roper*, *Atkins*, and *Ford*. In *Roper*, the Supreme Court observed that the “death penalty may not be imposed on certain classes of offenders, such as juveniles under 16, the insane, and the [intellectually disabled], no matter how heinous the crime” and explained “[t]hese rules vindicate the underlying principle that the death penalty is reserved for a narrow category of crimes and offenders.” 543 U.S. at 568-69 (internal citations omitted) (citing *Ford*, 477 U.S. 399, and *Atkins*, 536 U.S. 304). Similarly, the Supreme Court reasoned that intellectual disability “diminishes personal culpability even if the offender can distinguish right from wrong,” which makes it “less defensible to impose the death penalty as retribution for past crimes and less likely that the death penalty will have a real deterrent effect.” *Id.* at 552 (citing *Atkins*, 536 U.S. at 318-20). In the same vein, the Supreme Court has concluded that there was no “retributive value” in allowing the execution of the insane, someone “who has no comprehension of why he has been singled out and stripped of his fundamental right to life.” *Ford*, 477 U.S. at 409. The classes of persons at issue in *Roper*, *Atkins*, and *Ford* all had characteristics that rendered them less

culpable *and* undermined the death penalty's purposes of retribution and deterrence. The mere fact that Defendant is of advanced age does not diminish his culpability or the retributive value or deterrent effect of the death penalty in this case in the same manner that a person's status as a juvenile or an insane person would.

In sum, Defendant's claim that execution of the elderly, and particularly his execution as a person of advanced age, constitutes cruel and unusual punishment in violation of the Eighth Amendment is untimely, legally insufficient, and without merit. For these reasons, Defendant's Claim 2 is summarily denied.

MOTION FOR STAY OF DEFENDANT'S EXECUTION

As with Claim 1 of his fourth successive Rule 3.851 motion, Defendant's motion for stay of execution centers on heavily redacted FDOC records procured after executions carried out in 2025. According to Defendant's written motion, alleged irregularities in those records lead to a conclusion that "FDOC is in fact not carrying out lethal injection executions in compliance with the protocol."⁵³ Yet, during the *Huff* hearing, defense counsel conceded there is a "possibility"⁵⁴ that FDOC may be deviating from the approved execution protocol, or at least committing "incorrect recordkeeping or sloppy recordkeeping,"⁵⁵ and that such potential deviation requires an investigation to ensure that Defendant's Eighth

⁵³ "Defendant's Motion for a Stay of Defendant's Execution Until the Conclusion of an Investigation of FDOC's Compliance of Its 'Lethal Injection Procedure,'" filed February 2, 2026, at 6.

⁵⁴ *Huff* Hearing Transcript, at 9.

⁵⁵ *Id.*

Amendment protection from cruel and unusual punishment is preserved. Specifically, Defendant moves the Court “to order an investigation as to whether or not FDOC is in compliance with the protocols put in place and to what end they are failing to comply with the protocol as accepted by the Florida Supreme Court.”⁵⁶ Defendant further asserts that only judicial intervention—in the form of ordering a stay of execution pending an investigation—will ensure his Eighth Amendment protection is preserved.

In response, the State avers once again that Defendant’s reading of the heavily redacted FDOC records is speculative and, citing *Dillbeck v. State*, 357 So. 3d 94, 103 (Fla. 2023), further contends that “neither of the two claims Trotter raised in his successive postconviction motion constitute substantial grounds for granting a stay.”⁵⁷

Section 922.06(1), Fla. Stat. (2025), provides that “[t]he execution of a death sentence may be stayed only by the Governor or incident to an appeal.” Otherwise, “[a] stay of execution pending the disposition of a successive motion for postconviction relief is warranted *only* when there are ‘substantial grounds upon which relief might be granted.’” *Chavez v. State*, 132 So. 3d 826, 832 (Fla. 2014) (citing *Buenoano v. State*, 708 So. 2d 941, 951 (Fla. 1998) (emphasis added)).

As set forth in detail hereinabove, this Court has found that Defendant’s claims are untimely, legally insufficient, procedurally barred, and/or without

⁵⁶ “Defendant’s Motion for a Stay of Defendant’s Execution Until the Conclusion of an Investigation of FDOC’s Compliance of Its ‘Lethal Injection Procedure,’” at 9.

⁵⁷ State’s Response to Trotter’s Motion for a Stay of Execution, filed February 3, 2026, at 1.

merit. Accordingly, Defendant has failed to establish any “substantial grounds upon which relief might be granted,” *Dillbeck v. State*, 357 So. 3d 94, 103 (Fla. 2023), and his Motion for Stay of Execution shall, therefore, be denied.

RULING

Based on the foregoing, it is, hereby, **ORDERED AND ADJUDGED** that:

1. Defendant’s fourth “Successive Rule 3.851 Motion to Vacate Sentence of Death” and “Defendant’s Motion for a Stay of Defendant’s Execution Until the Conclusion of an Investigation of FDOC’s Compliance of Its ‘Lethal Injection Procedure,’” both filed February 2, 2026, are **DENIED**. Pursuant to the Florida Supreme Court’s January 23, 2026, scheduling order, Defendant’s notice of appeal shall be filed by 1:00 p.m. on Friday, February 6, 2026.
2. The Manatee County Clerk of Court shall file the record on appeal by 4:30 p.m. on Friday, February 6, 2026.

DONE AND ORDERED at Bradenton, Manatee County, Florida this 6

day of February 2026. @ 9:25 A.M.

Fm

Frederick P. Mercurio
Frederick P. Mercurio, Circuit Judge

Attachments to Order:

1. “Sentence – First Degree Murder,” filed July 23, 1993

CERTIFICATE OF SERVICE

On this 6 day of February 2026, the Court caused the foregoing document to be served via the Clerk of Court's case management system, which served the following individuals via email (where indicated). On the same date, the Court also served a copy of the foregoing document via email where indicated and via First Class U.S. Mail on any individuals who do not have an email address on file with the Clerk of Court.

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Paula Montlary
Elizabeth Bueter
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Melvin Trotter, DOC #573461
c/o Florida State Prison
Post Office Box 800
Raiford, Florida 32083

Florida Supreme Court
warrant@flcourts.org

Attachment 1

IN THE CIRCUIT COURT IN AND FOR MANATEE COUNTY, FLORIDA

STATE OF FLORIDA,

Plaintiff,

vs.

CASE NO. 86-1225-F;

MELVIN TROTTER,

Defendant.

FILED FOR RECORD
R. B. SHORE COURT
CLERK OF CIRCUIT COURT
MANATEE CO. FLORIDA
JUL 23 2 06 PM '93

SENTENCE -- FIRST DEGREE MURDER

FINDINGS

This case was tried in 1986. The Judge pronounced the Defendant guilty of the charge of First Degree Murder and sentenced him to death. On appeal the Supreme Court affirmed the conviction, but remanded the case for a new sentencing hearing (Trotter v. State, 576 So. 2d 691, Fla. 1990). The undersigned was designated by Assignment Order #93R-252 to conduct the proceeding. On April 21, 1993, the jury returned its advisory sentence and recommended death by a vote of 11 to 1.

Counsel raised the question of victim impact evidence. Victim impact was not allowed to become a focal point in the sentencing proceeding nor has it influenced the Court in reaching its decision.

The Court finds the following aggravating factors have been proved beyond a reasonable doubt:

FILED IN OPEN COURT
THIS 23 DAY OF July 19 93
R.B SHORE, CLERK
BY L.R. Miller DC

1

(1) The crime for which the Defendant is to be sentenced was committed while the Defendant was on community control. This the factor which required reversal of the sentence on the original appeal. The statute was subsequently amended to include community control (FS 921.141, 1991). Although the State was permitted to introduce evidence of this factor, this Court would have reached the same conclusion without this evidence.

(2) The Defendant has previously been convicted of a felony involving the use or threat of violence to some person. It has been demonstrated that the Defendant was previously convicted of robbery. The Defendant apparently held an old man down while the Defendant's cohort robbed the man. There can be no question but that Defendant participated in a crime of violence. See Simmons v. State, 419 So. 2d 3116 (Fla. 1982).

(3) The crime for which the Defendant is to be sentenced was committed while he was engaged in the commission of a robbery. The Defendant went to Virgie Langford's store for the purpose of theft or robbery, and in fact committed a robbery, which resulted in the death of Virgie Langford.

(4) The crime for which the Defendant is to be sentenced was especially wicked, evil, atrocious and cruel. Virgie Langford was killed in the store which she owned and ran for many years. As with every such proprietor, her store was undoubtedly her second home. She was stabbed seven times and, in fact, was disemboweled. As she was removed to the hospital for treatment she was conscious and was holding her intestines. She was alive for a considerable

time after the attack and was aware of her terrible condition. The victim was seventy years old and met her death at the hands of a healthy, muscular young man, who obviously could have subdued his victim with little effort. The number and force of the stabbings greatly exceeded that needed to subdue the robbery victim. The Defendant was clearly "utterly indifferent to the suffering" of Virgie Langford.

(5) The capital felony was committed for pecuniary gain.

MITIGATING CIRCUMSTANCES

The Court finds the following mitigating circumstances have been demonstrated:

(1) The capital felony was committed while the Defendant was under the influence of extreme mental and emotional disturbance.

(2) The capacity of the Defendant to conform his conduct to the requirements of law was substantially impaired. The Defendant was addicted to crack cocaine and this addiction affected his mental processes and his ability to control his actions. It did not, however, render him insane or unable to control his actions, or to keep him from understanding that his actions were wrong.

(3) The Defendant has a below average I.Q. and has had both family problems (abuse and neglect) and developmental problems. He obviously had a disadvantaged background.

(4) The Defendant may have suffered from a frontal lobe brain disorder which slowed down his reaction times.

(5) The Defendant is remorseful to some degree; it is

difficult, however, to separate his true remorse for the killing of Virgie Langford from his self pity over his own predicament.

(6) The Court has considered the other nonstatutory factors presented by the Defendant.

WEIGHING THE CIRCUMSTANCES

The Court finds the aggravating circumstances outweigh the mitigating circumstances. While the statutory criteria for mental or emotional disturbance were met, they amount to "less than insanity but more than the emotions of the average man, however inflamed." See, State v. Dixon, 283 So. 2d 1 (Fla. 1973). Defendant's inability to conform his conduct to the law is a circumstance, "...provided to protect that person who, while legally answerable for his actions, may be deserving of some mitigation of sentence because of his mental state." State v. Dixon, supra, at page 10. The range of activities encompassed in these circumstances is necessarily broad. In some cases cocaine addiction or a frontal lobe brain disorders might give rise to a mental disturbance such as to outweigh any aggravating factors. This is not one of those cases.

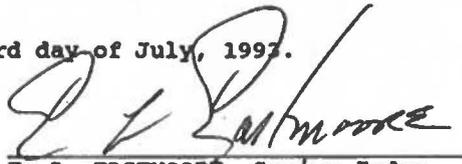
The Defendant was observed viewing the store before entering it. There is no evidence that he was under the influence of any drug or acting in a bizarre manner. He was stable enough to wait until the store was empty before entering and was stable enough to ask his girlfriend to provide an alibi for him. He was obviously aware of the wrongful nature of his act.

The Defendant was a cocaine addict and was affected by his addiction. The Court finds, however, that while the Defendant robbed the store to get money to buy cocaine, his addiction and not a "mental illness" was the motivating factor in the robbery and murder. In sum, the Defendant's use or abuse of cocaine does not excuse the particularly shocking nature of this murder or outweigh the aggravating factors proven.

SENTENCE

In accordance with these findings it is ORDERED AND ADJUDGED that the Defendant, Melvin Trotter, be committed to the custody of the Department of Corrections of the State of Florida and that he be executed and put to death in accordance with provisions of the Laws of Florida

DONE AND ORDERED this 23rd day of July, 1997.


E. L. EASTMOORE, Senior Judge

Copies to:

Douglas E. Crow, Esquire
Frederick L. Schaub, Esquire
James Slater, Esquire

No. _____

In the Supreme Court of the United States

MELVIN TROTTER,
Petitioner,
v.
STATE OF FLORIDA,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
FLORIDA SUPREME COURT

APPENDIX TO THE PETITION FOR A WRIT OF CERTIORARI

CAPITAL CASE
DEATH WARRANT SIGNED
Execution Scheduled: February 24, 2026, at 6:00 PM ET

APPENDIX C

Signed Affidavit, Dr. Daniel Buffington

DANIEL E. BUFFINGTON, PharmD, MBA

Clinical Pharmacology Services, Inc.

6285 E. Fowler Ave

Tampa, FL 33617

AFFIDAVIT

I, Daniel E. Buffington, PharmD, MBA, am the president and CEO of the American Institute of Pharmaceutical Sciences, Inc. since 2007, as well as a clinical associate professor at the University of South Florida, Colleges of Medicine and Pharmacy. Please see attached Curriculum Vitae.

I have been retained by Capital Collateral Regional Counsel – Middle Region to consult with their postconviction team in Case No. 411986CF001225A, *State of Florida v. Melvin Trotter*. I reviewed Mr. Trotter’s Demand for Records from the Florida Department of Corrections, (FDOC). I have been asked to consider what information a defendant, and the public for that matter, would want to know to have confidence that an execution by lethal injection would be carried out humanely and precisely. Below are the demands for records to be requested by Mr. Trotter followed by my expert opinion as to the significance and importance of this information.

Public records from January 1, 2025 to present, should be requested are as follows:

- a. Written records/checklists, logs, and/or memorandums of training activities including simulations, execution process, preparation of carrying out execution process, and effects of each lethal chemical as required in subsection (4) of FDOC’s procedure, “Training of the Execution Team and Executioners;”
[**Importance and impact:** To confirm that the Corrections staff are properly qualified, trained, and repeatedly demonstrating skill and proficiency with the FDOC approved protocol and to reduce the risk of errors or deviation from the critical design and infrastructure that ensures and humane and effective outcome.]
- b. Written records/checklists, logs, and/or memorandums documenting “completion of each step in the process,” as required in subsection (5) of FDOC’s procedure, “Use of Checklists;”

[Importance and impact: To confirm that the Corrections staff are properly qualified, trained, and repeatedly demonstrating skill and proficiency with the FDOC approved protocol and to reduce the risk of errors or deviation from the critical design and infrastructure that ensures and humane and effective outcome.]

- c. “Signed forms attesting” the team warden’s verification that all steps in the process have been performed properly prior to the administration of the “pharmaceutical agents (lethal injection chemicals),” and the that the remaining steps in the process were performed properly,” as required in subsection (5) of FDOC’s procedure, “Use of Checklists;”

[Importance and impact: To confirm that the Corrections staff are properly qualified, trained, and repeatedly demonstrating skill and proficiency with the FDOC approved protocol and to reduce the risk of errors or deviation from the critical design and infrastructure that ensures and humane and effective outcome.]

- d. Written records/checklists, logs, and/or memorandums documenting and tracking whether the “pharmaceutical agents (lethal injection chemicals)” are within their “date range” for use, have reached, or surpassed their expiration dates” and documenting the maintenance and proper storage of the “pharmaceutical agents (lethal injection chemicals)” as required in subsection (6) of FDOC’s procedure, “Purchase and Maintenance of Lethal Chemicals;”

[Importance and impact: To confirm that the Corrections staff has an organized, accurate, and effective tracking model to ensure that the correct substances, as approved within the FDOC, have been properly acquired and that product dating and aging are being tracked for substances that are awaiting future executions. Utilization of substances that are expired may have reduced pharmacologic effect or produce unanticipated or unnecessary complications. Such an error or deviation could result in unnecessary pain or discomfort or an unexpected termination of the execution procedure prior to the inmate’s death.]

- e. Written records/checklists, logs, and/or memorandums documenting the need for refrigeration, proper temperature range for storage, and/or monitoring for compliance of temperature and handling of the lethal chemicals.

[Importance and impact: To confirm that the Corrections staff has an organized, accurate, and effective tracking model to ensure that the correct substances, as approved within the FDOC, have been properly acquired and that product storage conditions have been identified, thresholds for storage conditions, and monitoring for variances or deviations for substances that are awaiting future executions. Utilization of substances that have not been stored properly may produce reduced pharmacologic effect or produce unanticipated or unnecessary complications. Such an error or deviation could result in unnecessary pain or discomfort or an unexpected termination of the execution procedure prior to the inmate's death.]

- f. Internal policies and procedures for handling and maintenance of the “pharmaceutical agents (lethal injection chemicals)” should there be power loss or other circumstances (such as water, temperature, humidity, etc.) which may compromise the pharmaceutical agents (lethal injection chemicals);

[Importance and impact: To confirm that the Corrections staff has an organized, accurate, and effective tracking model to ensure the adherence to industry recommended guidelines for the proper storage conditions for the substances, as approved within the FDOC, have that established protocols to ensure proper climate and cold chain conditions (respectively) during power outages or adverse conditions, have been implemented and tracked by all prior vendors and post product acquisition for substances that are awaiting future executions. Such an error or deviation could result in the use of an adulterated or chemically altered substance and produce reduced pharmacologic effects or unexpected complications including the early or acute termination of the execution procedure.]

- g. Policies/procedures, written logs, and/or memorandums documenting the disposal of expired and otherwise compromised “pharmaceutical agents (lethal injection chemicals);”

[Importance and impact: To confirm that Corrections staff have appropriate tracking methods, record keeping systems, and procedural protocols to ensure that expired or otherwise compromised substances are accurately identified, rapidly separated from the inventory, and precluded from use in a future execution. Failure to properly monitor and remove expired

substances could result in the use of substances with reduced pharmacologic effect or produce unnecessary complications for the inmate or the abrupt and early termination of an execution procedure.]

- h. Copies of the “logs provided to the team warden and available at the post execution debriefings” documenting the first FDLE agent charged with monitoring and responsible for observing the preparation of the “pharmaceutical agents (lethal injection chemicals)” and documenting and keeping a detailed log as to what occurs in the executioner’s room at a minimum of two (2) minute intervals” as required in subsection (7)(b) of FDOC’s procedure, “FDLE Monitors;”

[Importance and impact: To confirm that the designated Corrections staff is trained, oriented, present, attentive, accurately monitoring the preparation of the substances and recording the events within the executioner’s room at proper intervals so that an accurate record is preserved of the events and that in the event of errors, deviations, or complications occur that they can be properly reviewed and analyzed in a timely manner to determine a “root cause analysis” following an adverse event.]

- i. Copies of the “logs provided to the team warden and available at the post execution debriefings” documenting the second FDLE agent charged with keeping a detailed log of what is occurring in the execution chamber at a minimum of two (2) minute intervals” as required in subsection (7)(c) of FDOC’s procedure, “FDLE Monitors;”

[Importance and impact: To confirm that the designated Corrections staff is trained, oriented, present, attentive, accurately monitoring the preparation of the substances and recording the events within the executioner’s room at proper intervals so that an accurate record is preserved of the events and that in the event of errors, deviations, or complications occur that they can be properly reviewed and analyzed in a timely manner to determine a “root cause analysis” following an adverse event.]

- j. Memorandums, records, checklists, and/or logs from execution team member and independent observer from FDLE documenting their observations and compliance with the preparation of each

“pharmaceutical agent (lethal injection chemical)” used in the lethal injection process as found in subsection (9)(f) of FDOC’s procedure, “On the Day of Execution;”

[Importance and impact: To confirm that the designated Corrections staff is trained, oriented, present, attentive, accurately monitoring the preparation of the substances and recording the events within the executioner’s room at proper intervals so that an accurate record is preserved of the events and that in the event of errors, deviations, or complications occur that they can be properly reviewed and analyzed in a timely manner to determine a “root cause analysis” following an adverse event.]

- k. Procedures, directives, documentation, and memorandum of the execution team members utilization of “aseptic technique” and the placement of the “IV extension set that will be used to infuse the pharmaceutical agents (lethal injection chemicals) into the primary injection line.” (See subsection (9)(h) of FDOC’s procedure, “On the Day of Execution”);

[Importance and impact: To confirm that the Corrections staff properly understand and have received effective training and demonstrated ongoing proficiency regarding the proper identification, preparation, placement, and securing of IV injection and administration sites, including the ability to setup and maintain IV tubing and related apparatus in to primary and alternative (“redundant sites”) in order to reduce substantial risk of ineffective or loss of IV access prior to or during a lethal injection procedure. Loss of IV access can result in acute complication, pain, or reason to abort an execution process.]

- l. Procedures, directives, documentation, and memorandum for venous access, both through a central line or if necessary, without or without a venous cut-down.” (See subsection (10)(h) and (i) of FDOC’s procedure, “Approximately Thirty (30) Minutes Prior to Execution”); and

[Importance and impact: To confirm that the Corrections staff have been properly trained, oriented, and develop proficiency in the different venous access locations, supplies, techniques, and management of potential site-specific complications to ensure the successful administration of substances and to avoid or divert from known potential complications or difficulties. Ineffective IV site

selection, maintenance, or loss of IV access is a known potential risk factor for unnecessary complications or reason to abort an execution process.]

- m. Forms and documentation of the methodologies and medical instrumentation utilized by Execution Team Members to assess and monitor the inmate's depth and sustained level of consciousness ("consciousness checks") including the training, level of competency, and proficiency.

[Importance and impact: To confirm that the Corrections staff have been trained, oriented, and developed proficiency with industry standard and clinically effective methods or medical instruments utilized to determine an individual's depth or level of unconsciousness. This is imperative as it is the method to determine if the individual has successfully reached a depth or level of unconsciousness to reduce their awareness or sensations sufficient to progress to the administration of the following lethal injection drug.]

- n. Forms and documentation of the methodologies and medical instrumentation utilized by Execution Team Members to assess and affirm the inmate's death including the training, level of competency, and proficiency.

[Importance and impact: To confirm if the Corrections staff has been properly trained, oriented and developed proficiency and provided industry standard medical devices and telemetry equipment to affirm an inmate's death. This is imperative as it is essential to continue with the sequence and administration of approved substances and in the ascribed manner and pattern until the inmate's death is demonstrated as a formal endpoint. Anything less would risk an incomplete procedure and risk of the medication wearing off prior to the inmate's death.]

- o. Documentation, checklists, and memorandum of the team warden's "debriefing interview with every execution team member and the executioners, documenting any exceptional circumstances that arose during the execution, as required by as required in subsection (13)(f) of FDOC's procedure, "Immediate Post-Execution Procedures;"

[Importance and impact: To confirm that the Corrections staff was properly trained and prepared to perform their roles, document the sequence of steps, and record the procedure in a manner that could identify errors, protocol deviations, or complications that occurred to aid in avoiding future negative outcomes and spare a inmate the risk for future unnecessary pain or discomfort.]

- p. Protocols, procedures, directives, and checklists regarding:
- i. Mixing of the “pharmaceutical agents (lethal injection chemicals)” and their respective sterile IV solutions (“diluent fluids”);
 - ii. Proper flushing the syringe if same syringe is used;
 - iii. When and how syringes are organized, staged, and labeled;
 - iv. Insertion of needle venous access and how the site is secured.

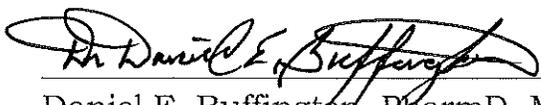
[Importance and impact: To confirm that the Corrections staff have developed effective internal procedures to ensure that the proper protocols, procedures, directives, and checklists have been implemented to ensure that staff roles and skills have been allocated to guarantee the proper mixing of substances and respective IV fluids, accurate manipulation and handling of the medication administration supplies and that the preparation and administration of the substances via primary and alternate venous access routes is optimized. This is critical to avoid the highest risk for complications with lethal injection protocols, which is ineffective or lost IV access during the execution procedure.

It would not be necessary to know the identity of any individual involved with carrying out the lethal injection protocols or any company involved with this process.

Sincerely,

Daniel E. Buffington, PharmD, MBA

I, Daniel E. Buffington, having been duly sworn or affirm, do hereby depose and say that the above statements are true and correct.


Daniel E. Buffington, PharmD, MBA

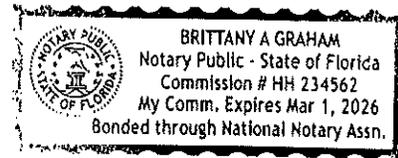
STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

Sworn to or affirmed and subscribed before me by means of physical presence or online notarization, this 27th day of January 2026, by Daniel E. Buffington who is personally known to me or has shown the following identification:



NOTARY PUBLIC, STATE OF FLORIDA



No. _____

In the Supreme Court of the United States

MELVIN TROTTER,
Petitioner,
v.
STATE OF FLORIDA,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
FLORIDA SUPREME COURT

APPENDIX TO THE PETITION FOR A WRIT OF CERTIORARI

CAPITAL CASE
DEATH WARRANT SIGNED
Execution Scheduled: February 24, 2026, at 6:00 PM ET

APPENDIX D

FDOC Log Part 1

DRUG NAME Etomidate 2mg/10ml

PACKAGE SIZE 10x10ml

NDC#

DATE

INVOICE NAME/#

LOT #

EXP. DATE

MEAS

RECEIVED/USED (+/-)

BALANCE

DATE	INVOICE NAME/#	LOT #	EXP. DATE	MEAS	RECEIVED/USED (+/-)	BALANCE
9-30-19			06-2021		+ 100 X	100
6-14-19			July 2021		+ 100 X	200
8-27-20			06-2021		+ 160 X	
8-28-20			01-2022		+ 40 X	400
9-11-20			06-2021		+ 60 X	460
12-14-20			06-2021		+ 30	490
12-14-20			01-2022		+ 110 ✓	600
6-28-21					- 450	150
8-06-21			07-2022		+ 120 ✓	270
2-3-22			01-2022		- 150	120
12-08-22			07-2022		- 120	0
2-20-23			11-2024		+ 40	40
3-02-23			12-2024		+ 50	90
3-06-23			12/2024		+ 50	140
1-3-25			11-2024		- 40	100
1-3-25			12-2024		- 50	50
4/21/25			01-2027		+ 100	100

DRUG NAME Potassium Acetate 2mEq/mL 20mL PACKAGE SIZE 25x20mL

NDC# [REDACTED]

DATE	INVOICE NAME/#	LOT #	EXP. DATE	MFR	RECEIVED/USED (+/-)	BALANCE
6/14/23	Balance					361
6/15/23			6/20/23		-12	349
7/19/23			06/2023		-2	347
9/3/23			12/2024		-12	335
10/3/23			10/2025		-47	288
10-3-23			12/2024		-12	276
8-29-24			12/2024		-12	264
1-3-2025			12-2024		-64	200
2-13-25			10-2025		-12	188
3/20/25			10-2025		-12	176
3/18/25			11/30/26		+25	201
3/18/25			9/30/26		+50	251
4/7/25			9/30/26		+25	276
4/7/25			4/30/27		+50	326
4/8/25			10-2025		-12	314
4/16/25			9/30/26		-25	289
5/1/25			10-2025		-12	277
5/15/25			10-2025		-12	265
6/12/25			10-2025		-7	258
6/25/25			10-2025		-17	241
7/16/25			10-2025		-12	229

DRUG NAME

ROCURONIUM

100mg/10ml

PACKAGE SIZE

10 X 10 ml

NDC#

DATE

INVOICE NAME/#

LOT #

EXP. DATE

MFR

RECEIVED/USED (+/-)

BALANCE

DATE	INVOICE NAME/#	LOT #	EXP. DATE	MFR	RECEIVED/USED (+/-)	BALANCE
3-07-24			Tue 2025		+ 10	10
3/11/24			JUN 2025		+ 80	90
1-3-2025			03/2026		+ 30	120
3-6-2024			03/2026		+ 100	220
3/20/25			Tue 2025		- 20	200
4-2-25			Mar 2026		+ 200	400
4-8-25			JUN 2025		- 20	380
4-16-25			JUN 2025		- 10	370
5/1/25			JUN 2025		- 20	350
4/23/25			10/2026		+ 30	380
4/23/25			3/2026		+ 70	450
5/23/25			10/2026		+ 100	550
6/9/25			JUN 2025		- 10	540
6/12/25			JUN 2025		- 10	530
6/12/25			3/2026		- 10	520
6/25/25			3/2026		- 10	510
7/16/25			3/2026		- 20	490

DRUG NAME Rocuronium 50mg / 5ml PACKAGE SIZE 10 X 5 ml

NDC# [REDACTED]

DATE	INVOICE NAME/#	LOT #	EXP. DATE	MFR	RECEIVED/USED (+/-)	BALANCE
3-07-24	[REDACTED]	[REDACTED]	JUN 2025	[REDACTED]	+ 40	40
1-3-2025	[REDACTED]	[REDACTED]	SEP 2025	[REDACTED]	+ 90	130
4-2-2025	[REDACTED]	[REDACTED]	APR 2026	[REDACTED]	+ 80	210
4-2-2025	[REDACTED]	[REDACTED]	AUG 2026	[REDACTED]	+ 40	250
5-15-2025	[REDACTED]	[REDACTED]	JUN 2025	[REDACTED]	- 40	210

DRUG NAME SODIUM Cl 0.9%

PACKAGE SIZE 12 X 100 ml

NDC# [REDACTED]

DATE	INVOICE NAME/#	LOT #	EXP. DATE	MFR	RECEIVED/USED (+/-)	BALANCE
5-20-2021	[REDACTED]	[REDACTED]	9-2023	[REDACTED]	+ 24	24
3-15-2025	[REDACTED]	[REDACTED]	4-2025	[REDACTED]	+ 12	36
5/3/23	[REDACTED]	[REDACTED]	9/2023	[REDACTED]	- 4	32
10-2-23	[REDACTED]	[REDACTED]	9-2023	[REDACTED]	- 20	12
02-01-24	[REDACTED]	[REDACTED]	01-2026	[REDACTED]	+ 12	24
8-29-24	[REDACTED]	[REDACTED]	4-2025	[REDACTED]	- 2	22
2-13-25	[REDACTED]	[REDACTED]	4-2025	[REDACTED]	- 2	20
3-12-25	[REDACTED]	[REDACTED]	2-2027	[REDACTED]	+ 24	44
3/20/25	[REDACTED]	[REDACTED]	2-2027	[REDACTED]	424	44
4/8/25	[REDACTED]	[REDACTED]	1-2026	[REDACTED]	- 2	42
4/8/25	[REDACTED]	[REDACTED]	4-2025	[REDACTED]	- 8	34
4/8/25	[REDACTED]	[REDACTED]	1-2026	[REDACTED]	- 4	30
5/1/25	[REDACTED]	[REDACTED]	1-2026	[REDACTED]	- 2	28
5/15/25	[REDACTED]	[REDACTED]	1-2026	[REDACTED]	- 2	26
5/29/25	[REDACTED]	[REDACTED]	7-2027	[REDACTED]	+ 12	38
6/2/25	[REDACTED]	[REDACTED]	8-2027	[REDACTED]	+ 24	62
6/12/25	[REDACTED]	[REDACTED]	1-2026	[REDACTED]	- 2	60

DRUG NAME Sodium Chloride 0.9% PACKAGE SIZE 25 X 20ml

NDC#

INVOICE NAME/#

LOT #

EXP. DATE

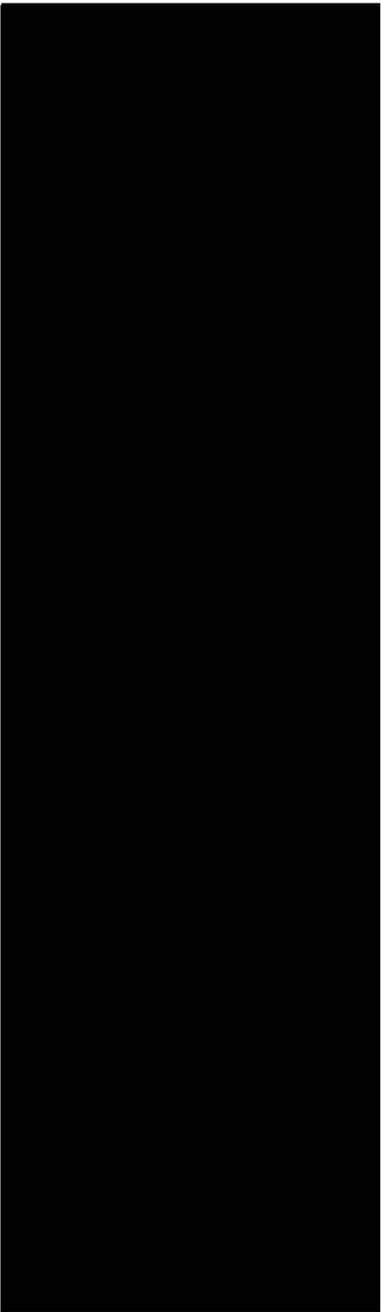
MER

RECEIVED/USED (+/-)

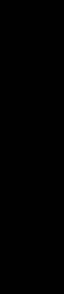
BALANCE

DATE	INVOICE NAME/#	LOT #	EXP. DATE	MER	RECEIVED/USED (+/-)	BALANCE
8/14/24			Oct-01-2025		+50	+50
2-3-25			Oct-31-2025		-6	44
3-6-25			JUL-31-2025		+25	69
3-6-25			JUL-31-2025		+25	69
3/20/25			10-01-2025		-6	63
4/2/25			07-31-2025		+50	113
4/8/25			10-01-2025		-6	107
5/1/25			10-01-2025		-6	101
5/15/25			10-01-2025		-6	95
5/23/25			7-31-2025		+50	145
6/12/25			JUL-31-2025		-6	139
6/25/25			10-01-2025		-6	133
7/16/25			10-01-2025		-7	126

69 Enclosed Invoice # -MY



INVOICE DATE 05/07/2025



ORDER DATE 03/05/2025
SHIP DATE 05/07/2025

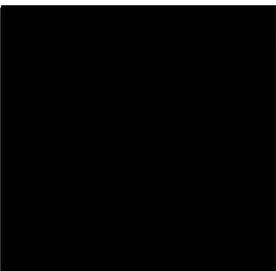
APP 079

LINE	ITEM	NDC/PLI	DRUG ORDER QTY	ORDER QTY	INVOICED QTY	UNIT	DESCRIPTION	SIZE	FORM	CLASS	MSG	DEPT/ACC/CC	UNIT PRICE	EXTENDED PRICE	NOTE
------	------	---------	----------------	-----------	--------------	------	-------------	------	------	-------	-----	-------------	------------	----------------	------

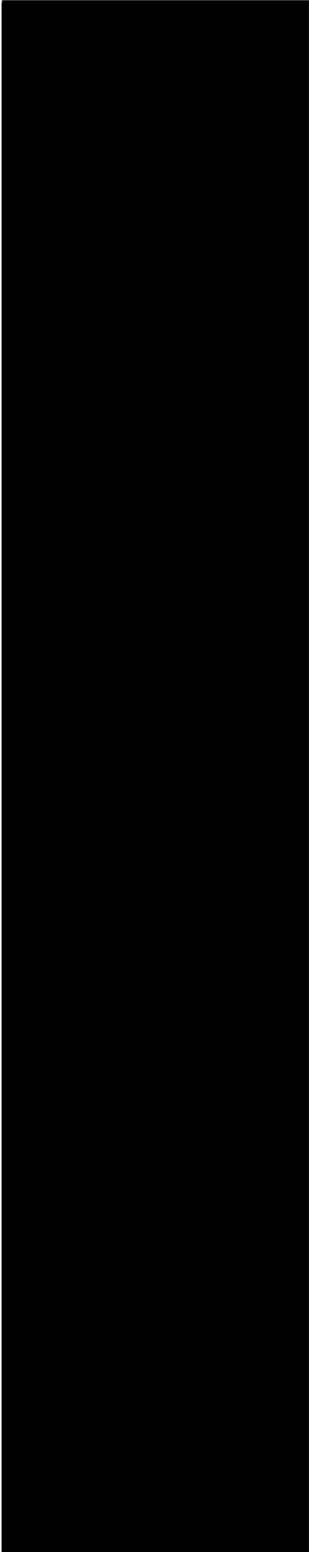
SCDUA 1L15 0.9% 12X1000ML LF 12X10 15 62.83
 TOTAL RX 62.83
 TOTAL OTC 0.00
 NET AMOUNT 62.83

SUMMARY

EXP: 1/27



SUB TOTAL	62.83
GRAND TOTAL	62.83
TOTAL DUE BY	06/06/2025



INVOICE DATE 05/23/2025
 PO
 ORDER DATE 05/22/2025
 SHIP DATE 05/23/2025 PIECES INVOICED 29

APP 080

LINE	ITEM	NDC/RUPC	ORIG ORDER QTY	ORDN R QTY	INVOICE QTY	UNIT PRICE	EXTENDED PRICE	NOTE
			2	2	2			
			4	4	4			
			10	10	10			
			10	10	10			
			1	1	1			
			2	2	2			
<p>SODIUM CL IS 0.9% 10X1000ML 10X10 IS EXP: 2/26</p> <p>POTASS ACET SD 2MEQ/ML 25X20ML FTV 25X20 SD EXP: 12/26</p> <p>ROCURONUM MD 10MG/ML 10X10ML 10X10 MC EXP: 10/26</p> <p>ETOMIDATE SD 2MG/ML 10X20ML 10X20 SD EXP: 1/27</p> <p>HYDROXYZ HCL SD 25MG/ML 25X1ML 25X1M SD EXP: 8/26</p> <p>SODIUM CL SF 0.9% 25X20ML 25X20 SF EXP: 7/31/20</p>								
TOTAL RX						1,839.47		
TOTAL OTC						0.00		
NET AMOUNT						1,839.47		

SUMMARY

TOTAL RX 1,839.47
 TOTAL OTC 0.00
 NET AMOUNT 1,839.47

SUB TOTAL	1,839.47
GRAND TOTAL	1,839.47
TOTAL DUE BY	06/22/2025



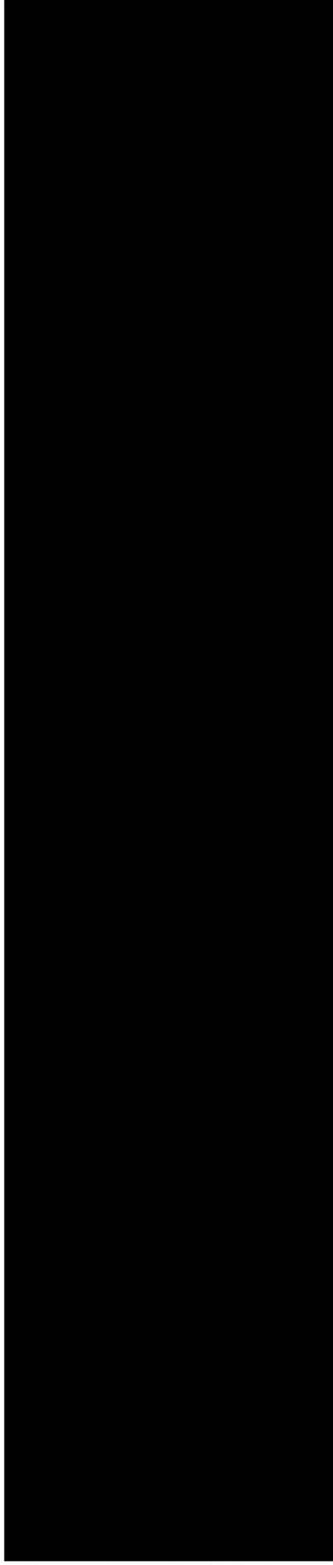
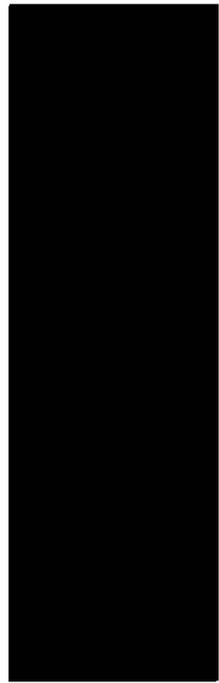
INVOICE DATE 05/29/2025

ORDER DATE 03/05/2025
SHIP DATE 05/29/2025
PIECES INVOICED 1

APP 081

LINE	ITEM	NDC/UPC	ORIG ORDER QTY	ORDER QTY	INVOICED QTY	QMTT CODE	UOM	DESCRIPTION	SIZE	FORM	CLASS	MSG	DEPT/AC/CC2	UNIT PRICE	EXTENDED PRICE	NOTE CODE
			1	1	1			SODIUM CL IS 0.9% 12X1000ML EXC	12X10 IS					29.99	29.99	
<p style="text-align: center;">-----SUMMARY-----</p> <p>TOTAL RX 29.99</p> <p>TOTAL OTC 0.00</p> <p>NET AMOUNT 29.99</p>																

EXP: 7/27



SUB TOTAL	29.99
GRAND TOTAL	29.99
TOTAL DUE BY	06/28/2025

INVOICE DATE 06/24/2025

PO

ORDER DATE 04/01/2025

SHIP DATE 06/24/2025 PIECES INVOICED 20

APP 082

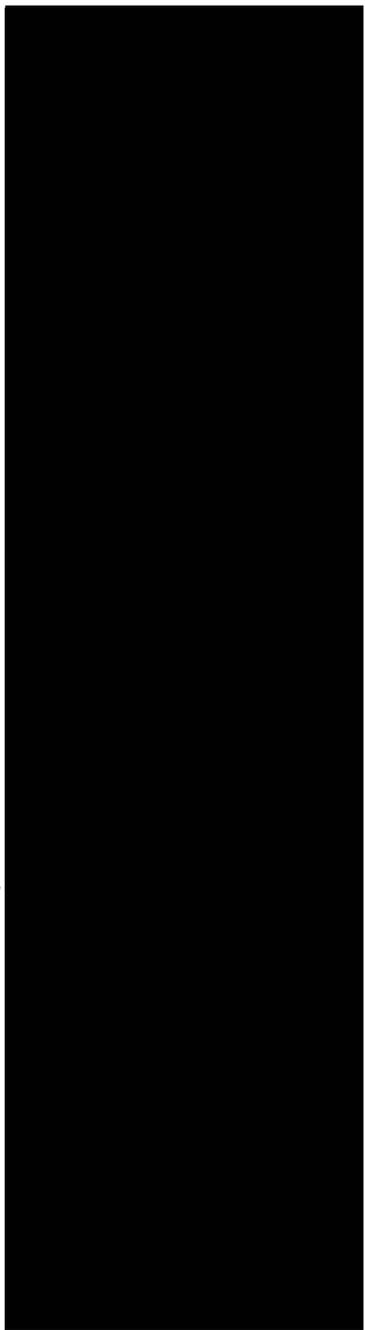
LINE	ITEM	NO/CL/PC	ORIG ORDER QTY	ORDER QTY	INVOICED QTY	OMIT CODE	UOM	DESCRIPTION	SIZE	FORM	CLASS	MSG	DEPT/ACC/C2	UNIT PRICE	EXTENDED PRICE	NOTE CODE			
			10	10	8	X		ETOMIDATE SD 2MG/ML 10X20ML	10X20 SD					41.96	335.68				
			10	10	8	X		ETOMIDATE SD 2MG/ML 10X10ML	10X10 SD					30.03	240.24				
			10	10	2	X		ETOMIDATE SD 2MG/ML 10X10ML	10X10 SD					30.03	60.06				
			10	10	2	X		ETOMIDATE SD 2MG/ML 10X20ML	10X20 SD					41.96	83.92				
SUMMARY																			
														TOTAL RX	719.90				
														TOTAL OTC	0.00				
														NET AMOUNT	719.90				

EXP: 3/27

EXP: 3/27

EXP: 3/27

SUB TOTAL	719.90
GRAND TOTAL	719.90
TOTAL DUE BY	07/24/2025

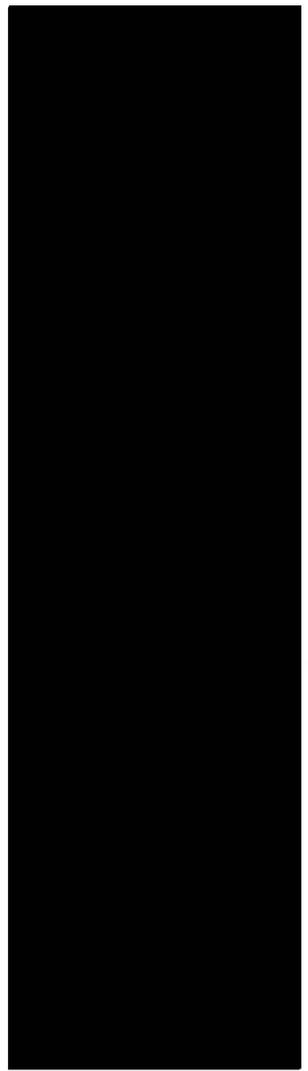


INVOICE DATE 06/02/2025
 PO
 ORDER DATE 04/01/2025
 SHIP DATE 06/02/2025
 PIECES INVOICED 2

[Handwritten signature]

APP 083

LINE	ITEM	NDC/UPC	ORIG ORDER QTY	ORDER QTY	INVOICED QTY	UNIT CODE	UNIT PRICE	EXTENDED PRICE	NOTE CODE
			2	2	2		29.99	59.98	
SODIUM CL IS 0.9% 12X1000ML EXC 12X10 IS SUMMARY TOTAL RX 59.98 TOTAL OTC 0.00 NET AMOUNT 59.98									
							EXP 8/27		



SUB TOTAL	59.98
GRAND TOTAL	59.98
TOTAL DUE BY	07/02/2025

No. _____

In the Supreme Court of the United States

MELVIN TROTTER,
Petitioner,
v.
STATE OF FLORIDA,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
FLORIDA SUPREME COURT

APPENDIX TO THE PETITION FOR A WRIT OF CERTIORARI

CAPITAL CASE
DEATH WARRANT SIGNED
Execution Scheduled: February 24, 2026, at 6:00 PM ET

APPENDIX E

FDOC Log Part 2

DRUG NAME: Etomidate 40mg/20mL Package Size: 10 X 20mL (10 vials)

PREVIOUS BALANCE: 330

Page: 2

DATE	VENDOR NAME	INVOICE NUMBER	LOT#	EXP. DATE (MM/DD/YYYY)	RECEIVED/USED (+/-)	BALANCE
4/8/25				5/31/2025	-10	320
5/1/25				5/31/2025	-10	310
5/15/25				5/31/25	-10	300
5/23/25				1/31/2027	+100	400
5/29/25				5/31/2025	-10	390
6/12/25				6/30/2025	-10	380
6/25/25				6/30/2025	-50	330
7/28/25				7/31/2025	-10	320
8/1/25				7/31/2025	-20	300
8/19/25				1/31/2025	-10	290
8/29/25				1/31/2025	-10	280
9/17/25				1/31/2025	-10	270
9/30/25				1/31/2025	-10	260

DRUG NAME: Hydroxyzine HCL 25mg/mL Package Size: 25 x 1 mL

[REDACTED]

PREVIOUS BALANCE: 0

Page: 1

DATE	VENDOR NAME	INVOICE NUMBER	LOT#	EXP. DATE (MM/DD/YYYY)	RECEIVED/USED (+/-)	BALANCE
2/1/2024	[REDACTED]	[REDACTED]	[REDACTED]	03/31/2025	+ 25	25
8/29/2024	[REDACTED]	[REDACTED]	[REDACTED]	2/31/2025	- 2	23
1/3/2025	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	+ 25	48
2/13/2025	[REDACTED]	[REDACTED]	[REDACTED]	3/31/2025	- 3	45
3/20/2025	[REDACTED]	[REDACTED]	[REDACTED]	3/31/2025	- 3	42
4/2/2025	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	+ 25	67
4/8/2025	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	- 4	63
4/16/2025	[REDACTED]	[REDACTED]	[REDACTED]	3/31/2025	- 17	46
5/1/2025	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	- 4	42
5/15/2025	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	- 3	39
5/23/2025	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	+ 25	64
6/12/25	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	- 3	61
6/25/25	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	- 2	59
7/16/25	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	- 2	57
7/28/25	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	+ 25	82
7/28/25	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	- 2	80
8/19/25	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	- 2	78
8/29/25	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	- 2	76
9/17/25	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	- 2	74
9/30/25	[REDACTED]	[REDACTED]	[REDACTED]	8/31/2026	- 2	72

DRUG NAME Potassium Acetate 2mg/ml 20ml PACKAGE SIZE 25x20ml

DATE	INVOICE NAME/#	LOT #	EXP. DATE	MFR	RECEIVED/USED (+/-)	BALANCE
6/14/23	Balance					361
6/15/23			6/20/23		-12	349
7/19/23			06/2023		-2	347
9/3/23			12/2024		-12	335
10/3/23			10/2025		-47	288
10-3-23			12/2024		-12	276
8-29-24			12/2024		-12	264
1-3-2025			12-2024		-64	200
2-13-25			10-2025		-12	188
3/20/25			10-2025		-12	176
3/18/25			11/30/26		+25	201
3/18/25			9/30/26		+50	251
4/7/25			9/30/26		+25	276
4/7/25			4/30/27		+50	326
4/8/25			10-2025		-12	314
4/16/25			9/30/26		-25	289
5/1/25			10-2025		-12	277
5/15/25			10-2025		-12	265
6/12/25			10-2025		-7	258
6/25/25			10-2025		-17	241
7/16/25			10-2025		-12	229
7/28/25			10-2025		-12	217
8/19/25			10-2025		-12	205
8/29/25			10-2025		-12	193

DRUG NAME

Sodium Chloride 0.9%

PACKAGE SIZE

25 x 20ml

DATE	INVOICE NAME/#	LOT #	EXP. DATE	MFR	RECEIVED/USED (+/-)	BALANCE
8/14/24	[REDACTED]	[REDACTED]	08-01-2025	[REDACTED]	+50	+50
2/3-25	[REDACTED]	[REDACTED]	08-01-2025	[REDACTED]	-6	44
3-6-25	[REDACTED]	[REDACTED]	08-31-2025	[REDACTED]	+25	69 Incorrect #
3-6-25	[REDACTED]	[REDACTED]	08-31-2025	[REDACTED]	+25	69
3/20/25	[REDACTED]	[REDACTED]	10-01-2025	[REDACTED]	-6	63
4/2/25	[REDACTED]	[REDACTED]	07-31-2025	[REDACTED]	+50	113
4/8/25	[REDACTED]	[REDACTED]	10-01-2025	[REDACTED]	-6	107
5/1/25	[REDACTED]	[REDACTED]	10-01-2025	[REDACTED]	-6	101
5/15/25	[REDACTED]	[REDACTED]	10-01-2025	[REDACTED]	-6	95
5/23/25	[REDACTED]	[REDACTED]	7-31-2025	[REDACTED]	+50	145
6/12/25	[REDACTED]	[REDACTED]	08-31-2025	[REDACTED]	-6	139
6/25/25	[REDACTED]	[REDACTED]	10-01-2025	[REDACTED]	-6	133
7/16/25	[REDACTED]	[REDACTED]	10-01-2025	[REDACTED]	-7	126
7/28/25	[REDACTED]	[REDACTED]	10-31-2025	[REDACTED]	+50	176
8/19/25	[REDACTED]	[REDACTED]	10-01-2025	[REDACTED]	-6	170
8/19/25	[REDACTED]	[REDACTED]	10-01-2025	[REDACTED]	-1	169
8/19/25	[REDACTED]	[REDACTED]	7-31-2025	[REDACTED]	-5	164
8/28/25	[REDACTED]	[REDACTED]	7-31-2025	[REDACTED]	-6	158
9/17/25	[REDACTED]	[REDACTED]	7-31-2025	[REDACTED]	-6	152
9/30/25	[REDACTED]	[REDACTED]	7-31-2025	[REDACTED]	-6	146

DRUG NAME Sodium Cl 0.9%

PACKAGE SIZE 12 X 1000 mL

DATE	INVOICE NAME/#	LOT #	EXP. DATE	MFR	RECEIVED/USED (+/-)	BALANCE
5-20-2021			9-2023		+ 24	24
3-15-2022			4-2025		+ 12	36
5/3/23			9/2023		- 4	32
10-2-23			9-2023		- 20	12
03-01-24			01-2026		+ 12	24
8-29-24			4-2025		- 2	22
0-13-25			4-2025		- 2	20
3-12-25			2-2029		+ 24	44
3/20/25			2-2029		+ 24	44
4/8/25			1-2026		- 2	42
4/8/25			4-2025		- 8	34
4/8/25			1-2026		- 4	30
5/1/25			1-2026		- 2	28
5/15/25			1-2026		- 2	26
5/29/25			7-2027		+ 12	38
6/2/25			8-2027		+ 24	62
6/2/25			1-2026		- 2	60

DRUG NAME:

Rocuronium 100mg/10ml

Package Size:

10 x 10ml

(10 per box)

Page: 1

PREVIOUS BALANCE:

0

DATE	VENDOR NAME	INVOICE NUMBER	LOT#	EXP. DATE (MM/DD/YYYY)	RECEIVED/USED (+/-)	BALANCE
3/7/24				06/31/2025	+ 10	10
3/11/24				06/31/2025	+ 80	90
1/3/2025				3/31/2026	+ 30	120
3/6/25				3/31/2026	+ 100	220
3/20/25				6/31/2025	- 20	200
4/2/25				3/31/2025	+ 200	400
4/8/25				6/31/2025	- 20	380
4/16/25				6/31/2025	- 10	370
4/23/25				10/31/2026	+ 30	400
4/23/25				3/31/2026	+ 70	470
5/1/25				6/31/2025	- 20	450
5/23/25				10/31/2026	+ 100	550
6/9/25				6/31/2025	- 10	540
6/12/25				6/31/2025	- 10	530
6/2/25				3/31/2026	- 10	520
6/25/25				3/31/2026	- 10	510
7/16/25				3/31/2026	- 20	490
7/28/25				10/31/2026	+ 240	730
7/28/25				3/31/2026	- 20	710
7/28/25				10/31/2026	- 10	700
9/11/25				3/31/2026	- 15	685
9/30/25				2/31/2026	- 20	665

INVOICE DATE 07/28/2025
 PO
 ORDER DATE 07/25/2025
 SHIP DATE 07/28/2025
 PIECES INVOICED 77

LINE	ITEM	NO/CLUPC	ORIG ORDER QTY	ORDER QTY	INVOICED QTY	DMFT CODE	UOM	DESCRIPTION	SIZE	FORM	CLASS	MSG	DEPT/AC/CC/CA	UNIT PRICE	EXTENDED PRICE	NOTE CODE
5			5	5	4			POTASS ACET SD 2MEQ/ML 25X20ML FTV	25X20 SD					77.38	309.52	
24			24	24	21			ROCURONIUM MID 10MG/ML 10X10ML	10X10 MD					21.66	454.86	
24			24	24	3			ROCURONIUM MD 10MG/ML 10X10ML	10X10 MD					21.66	64.98	
36			36	36	22			ROCURONIUM MID 10MG/ML 10X5MIL	10X5M MD					20.48	450.56	
36			36	36	14			ROCURONIUM MID 10MG/ML 10X5MIL	10X5M MD					20.48	286.72	
5			5	5	5			ETOMIDATE SD 2MG/ML 10X20ML	10X20 SD					41.73	208.65	
1			1	1	1			HYDROXYZ HCL SD 25MG/ML 25X1ML	25X1M SD					459.02	459.02	
2			2	2	2			LIDOCaine HCL MD 1% 25X10ML	25X10 MD					18.93	37.86	
5			5	5	1			POTASS ACET SD 2MEQ/ML 25X20ML FTV	25X20 SD					77.38	77.38	
2			2	2	2			POTASS ACET SD 2MEQ/ML 25X50ML FTV	25X50 SD					25.485	509.30	
2			2	2	1			SODIUM CL SF 0.9% 25X20ML	25X20 SF					54.38	108.76	

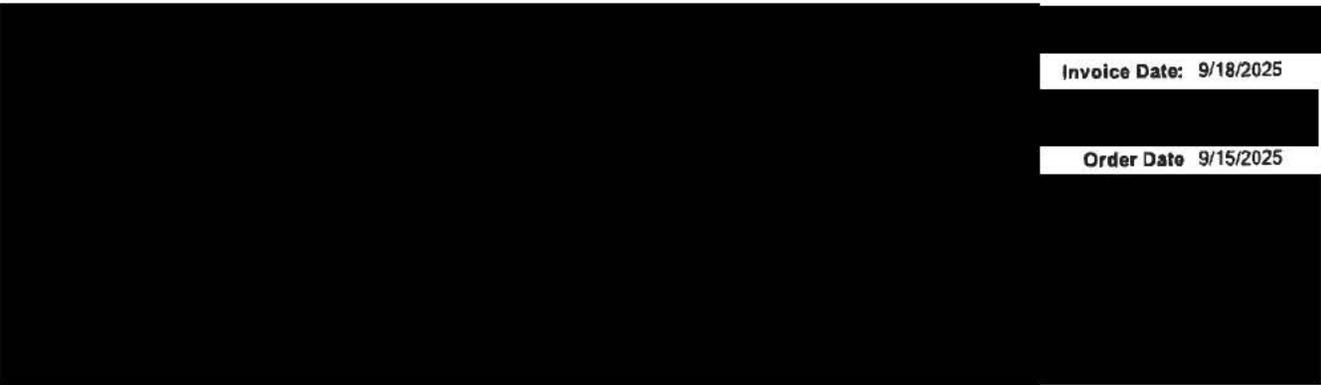
TOTAL RX 2,967.61
 TOTAL OTC 0.00
 NET AMOUNT 2,967.61

EXP: 12/26
 10/26
 10/26
 10/26
 10/26
 3/27
 8/26
 4/27
 12/26
 10/26
 10-31-26

DEPT/AC/CC/CA	UNIT PRICE	EXTENDED PRICE	NOTE CODE
	77.38	309.52	
	21.66	454.86	
	21.66	64.98	
	20.48	450.56	
	20.48	286.72	
	41.73	208.65	
	459.02	459.02	
	18.93	37.86	
	77.38	77.38	
	25.485	509.30	
	54.38	108.76	

SUB TOTAL	2,967.61
GRAND TOTAL	2,967.61
TOTAL DUE BY	08/27/2025

Invoice

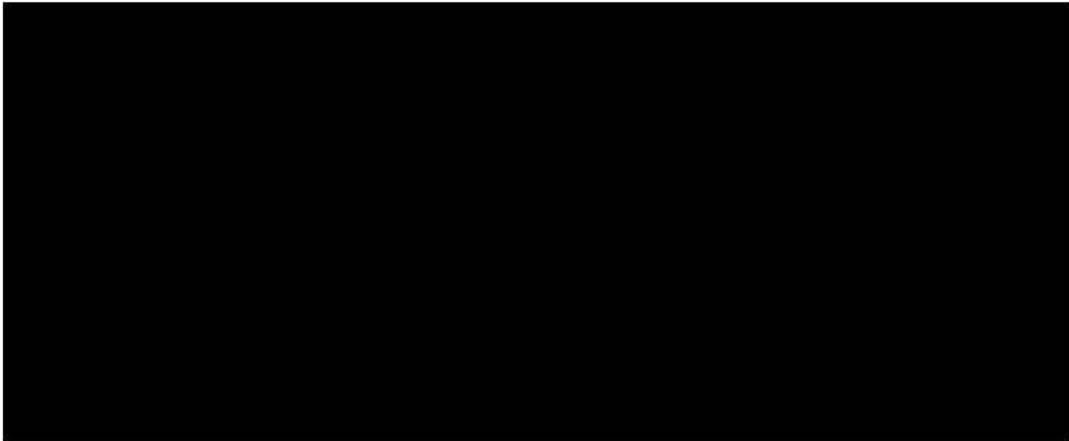
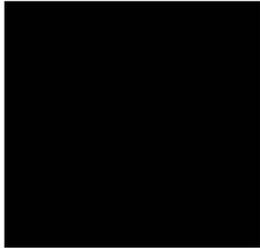


Invoice Date: 9/18/2025

Order Date: 9/15/2025

Customer P.O. [Redacted]	Terms: Due Date Net 30: 10/18/2025	Account Manager: [Redacted]	Ship VIA GROUND	Customer Number: [Redacted]
------------------------------------	--	---------------------------------------	---------------------------	---------------------------------------

NDC#	Ordered	Shipped	Remaining	Price Each	Amount
[Redacted]	50.00	50.00	0.00	69.00	3,450.00
ETOMIDATE 20MG SDV 10X10ML					
[Redacted]		Expiration date: 4/30/2027		Lot Qty: 48.00 ✓	
[Redacted]		Expiration date: 4/30/2027		Lot Qty: 2.00 ✓	



Net Invoice:	3,450.00
Less Discount:	0.00
Freight:	36.49
Sales Tax:	0.00
Invoice Total:	3,486.49