No. _____

IN THE SUPREME COURT OF THE UNITED STATES

FRANK A. WALLS,

***Petitioner*,**

vs.

STATE OF FLORIDA,

Respondent

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

APPLICATION FOR STAY OF EXECUTION

CAPITAL CASE

DEATH WARRANT SIGNED
Execution Scheduled: December 18, 2025, at 6:00 p.m.

To the Honorable Clarence Thomas, Associate Justice of the Supreme Court of the United States:

The State of Florida has scheduled the execution of Petitioner Frank Walls for Thursday, December 18, 2025, at 6:00 pm ET. Pursuant to the Supreme Court Rule 23 and 28 U.S.C. § 2101(f), Mr. Walls respectfully requests a stay of execution pending the disposition of his Petition for a Writ of Certiorari accompanying this application.

STANDARDS FOR A STAY OF EXECUTION

The standards for granting a stay of execution are well established. *Barefoot v. Estelle*, 463 U.S. 880, 895 (1983). There "'must be a reasonable probability that four members of the Court would consider the underlying issue sufficiently meritorious for the grant of certiorari or the notation of probable jurisdiction; there must be a significant possibility of reversal of the lower court's decision; and there must be a likelihood that irreparable harm will result if that decision is not stayed.'" *Id*. (quoting *White v. Florida*, 458 U.S. 1301, 1302 (1982) (Powell, J., in chambers).

PETITIONER SHOULD BE GRANTED A STAY OF EXECUTION

The questions raised in Walls' Petition for a Writ of Certiorari are sufficiently meritorious for a grant of a writ of certiorari. The underlying issues present significant, compelling questions of constitutional law and a stay is necessary to avoid Walls being executed in violation of the Eighth Amendment to the United States Constitution. *Panetti v. Quarterman*, 551 U.S. 930 (2007), *Ford v. Wainwright*, 477 U.S. 399 (1986), and *Madison v. Alabama*, 139 S. Ct. 718 (2019).

It is indisputable Walls will be irreparably harmed if his execution is allowed to go forward, and the balance of equities weighs heavily in favor of a stay. Florida's interest in the timely enforcement of judgments handed down by its courts must be weighed against Walls' continued interest in his life. *See Ohio Adult Parole Auth. v. Woodard*, 523 U.S. 272, 289 (1998) ("[I]t is incorrect . . . to say that a prisoner has been deprived of all interest in his life before his execution.")(O'Connor, J., plurality opinion). Florida has a minimal interest in finality and efficient enforcement of judgments, while Walls has a right and significant interest in ensuring that his execution comports with the Constitution. In addition, the irreversible nature of the death penalty supports granting a stay. "[A] death sentence cannot begin to be carried out by the State

while substantial legal issues remain outstanding." *Barefoot*, 463 U.S. at 888. Should this Court grant the request for a stay and review of the underlying petition, Pittman submits there is a significant possibility of the lower court's reversal. This Court's intervention is urgently needed to prevent Pittman's imminent execution despite the protections from the death penalty provided by the Eighth Amendment. Specifically, the State of Florida runs the imminent risk of executing an intellectually disabled person, contrary to the provisions of the Eighth Amendment.

Walls' case presents two significant constitutional issues, which need to be fully addressed by this Court free from the extreme time constraints set by the warrant signed on November 18, 2025. Walls' execution is scheduled for December 18, 2025. Walls respectfully requests this Court enter a stay of execution.

As detailed in Walls' contemporaneous petition for writ of certiorari, due to Florida's erroneous interpretation of federal law, and its insistence on placing a time bar on intellectual disability claims, the State of Florida will execute an intellectually disabled defendant, in violation of the United States Constitution. Mr. Walls, due to the arbitrary bars and changing interpretation of federal law by the Florida's Supreme Court, Mr. Walls, a man with a significant history of intellectual disability will be executed. Further Mr. Walls was denied due process by being unable to fully demonstrate and prove his intellectual disability contrary to *Atkins v. Virginia,* 536 U.S. 304, 321 (2002) and its progeny.

CONCLUSION

"The fundamental requirement of due process is the opportunity to be heard 'at a meaningful time and in a meaningful manner.'" *Armstrong v. Manzo*, 380 U.S. 545, 552 (1965). Windom's meritorious issues cannot possibly be heard in a meaningful manner with just days left

until his execution. The important constitutional issues presented by Walls' case require a full appellate review that is not truncated by his imminent execution.

For the foregoing reasons, Walls respectfully requests that this Court grant his application for a stay of Walls' execution scheduled for December 18, 2025, to address the compelling constitutional questions in his case on the merits.

Respectfully submitted,

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Dated: December 15, 2025