

No. 26-5346

IN THE
SUPREME COURT OF THE UNITED STATES

WILLIE STYLES III,
Petitioner,

v.

STATE OF FLORIDA,
Respondent.

ON PETITION FOR A WRIT OF CERTIORARI TO THE
FLORIDA DISTRICT COURT OF APPEAL,
FOURTH DISTRICT

RESPONSE TO PETITION

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QUESTION PRESENTED

More than half a century ago, this Court held that Florida’s use of six-person juries satisfies the Sixth Amendment. *Williams v. Florida*, 399 U.S. 78, 86 (1970). After examining the history and purpose of the right to trial by jury, the Court concluded that the framers enshrined no 12-juror requirement in the Constitution, even though most founding-era juries consisted of 12 persons. Relying on *Williams*, Florida and five other states continue to use fewer than 12 jurors in at least some criminal trials. In Florida, where all noncapital crimes are tried before six-member juries, roughly 5,000 criminal convictions are currently pending on direct appeal.

As in *Kian v. Florida*, No. 25-6623, 2026 WL 1718018 (June 15, 2026) (cert. granted), the question presented is whether the Court should overrule *Williams* and hold that the Sixth Amendment requires the use of 12-person juries in serious criminal cases.

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STATEMENT OF THE CASE

1. In 1877, Florida began using six-person juries to try noncapital criminal defendants. *See* Act of February 17, 1877, ch. 3010, § 6, 1877 Fla. Laws 54. That same year, the Florida Supreme Court held that the use of six-person juries neither “destroy[ed] [n]or infring[ed] the right of trial by jury.” *Gibson v. State*, 16 Fla. 291, 300 (1877). Ninety years later, this Court opened another avenue to challenge the validity of Florida’s six-person juries, holding that states are bound by the jury-trial guarantee in the Sixth Amendment to the federal Constitution. *See Duncan v. Louisiana*, 391 U.S. 145, 149 (1968). But just two years after that, this Court concluded that six-person juries satisfy that guarantee. *Williams v. Florida*, 399 U.S. 78, 86 (1970). For nearly as long as states have had a Sixth Amendment duty to provide criminal jury trials, this Court’s message to the people of Florida has been clear: the jury structure that they have settled on for a century and a half fulfills that duty. Unsurprisingly then, Florida has continued its longstanding practice of using six-person juries in trials of noncapital offenses. *See* Fla. Stat. § 913.10.

2. The petitioner was tried for one count of human trafficking of a minor, three counts of sexual battery of a child in familial or custodial authority, and one count of unlawful use of a two-way communication device. R 211-212. The trial court empaneled a six-person jury as dictated by Florida law. *See* Fla. Stat. § 913.10; *State v. Hogan*, 451 So. 2d 844, 845 (Fla. 1984). Prior to jury selection petitioner did not file any objection to the jury size.

The evidence at trial revealed that after the victim moved back to her mother's house, the petitioner began touching her body, including her legs, thighs, arms, breasts, chest, stomach, and vagina. The petitioner penetrated the victim's vagina and mouth with his penis. Tr. 297; R 442. The petitioner touched the victim's vagina with his fingers, penetrating her, and with his mouth. These acts occurred often and regularly. Tr. 298; R.443,445. The petitioner also introduced the victim to people he called his "brothers." Tr. 299. The petitioner brought these people to the house to have sex with the victim. The petitioner would record the acts with his cell phone. Tr. 301; R.460,462. These men gave the petitioner money to have sex with the victim. R. 558. The abuse ended when the victim's mother discovered inappropriate text messages between the petitioner and victim on the victim's cell phone and called law enforcement. T.382,387.

Presented with this evidence, the jury returned a verdict of guilty on all charges in the information. R. 243-244. The trial court adjudicated the petitioner guilty and sentenced him to life for human trafficking, fifty-five years for the sexual battery counts, and five years for unlawful use of a two-way communications device, all counts concurrent. R 245-252.

3. The petitioner appealed his convictions to Florida's Fourth District Court of Appeal, arguing in part that the Sixth Amendment entitled him to be tried by a 12-person jury because this Court abrogated *Williams* in *Ramos v. Louisiana*, 590 U.S. 83 (2020), which held that the Sixth Amendment requires unanimous verdicts in state court as in federal court, overruling *Apodaca v. Oregon*, 406 U.S. 404 (1972). The

Fourth District issued an opinion affirming without comment as to this issue. Pet. App. 1a. The petitioner then petitioned this Court for a writ of certiorari.

**THE COURT SHOULD HOLD THIS PETITION
PENDING DISPOSITION OF *KIAN***

4. The petitioner contends that the Court should review the Fourth District's decision and use it as a vehicle to overrule *Williams v. Florida*, 399 U.S. 78 (1970), which held that the Sixth Amendment permits six-person juries in criminal cases. On June 15, 2026, this Court granted review in *Kian v. Florida*, No. 25-6623, which presents the identical legal issue. Consequently, the Court should hold the petition in abeyance pending its resolution of this same issue in *Kian* and then dispose of it accordingly.

CONCLUSION

The petition for a writ of certiorari should be held in abeyance pending this Court's resolution of *Kian*.

Respectfully submitted,

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September 3, 2026