



RON DESANTIS
GOVERNOR

April 23, 2019

Warden Barry Reddish
Florida State Prison
7819 N.W. 228th Street
Raiford, Florida 32026-1000

Re: Execution Date for Robert Joseph Long, DC#494041

Dear Warden Reddish:

Enclosed is the death warrant to carry out the sentence of Robert Joseph Long, as well as a certified copy of his judgment and sentence. I have designated the week beginning at 12:00 noon on Monday, May 20, 2019, through 12:00 noon on Monday, May 27, 2019, for the execution. I have been advised that you have set the date and time of execution for Thursday, May 23, 2019, at 6:00 p.m.

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Ron DeSantis".

Ron DeSantis
Governor

Enclosures

SECRETARY OF STATE
TALLAHASSEE, FLORIDA

2019 APR 23 PM 4:03

RECEIVED

Warden Barry Reddish
April 23, 2019
Page 2

cc:

Honorable Charles Canady
Chief Justice
Supreme Court of Florida
500 South Duval Street
Tallahassee, Florida 32399

Honorable Ronald Ficarrotta
Chief Judge, Thirteenth Judicial Circuit
800 E. Twiggs St.
Tampa, Florida 33602

Secretary Mark Inch
Department of Corrections
501 South Calhoun Street
Tallahassee, Florida 32399-2500

Carolyn Snurkowski
Assistant Deputy Attorney General
Office of the Attorney General
The Capitol, PL-01
Tallahassee, Florida 32399-0001

Robert A. Norgard
310 East Main Street
Bartow, Florida 33830

Julia McCall, Coordinator
Office of Executive Clemency
4070 Esplanade Way
Tallahassee, Florida 32399-2450

Robert Joseph Long, DC#494041
Union Correctional Institution
7819 NW 228th Street
Raiford, Florida 32026-4400



STATE OF FLORIDA

**ASHLEY MOODY
ATTORNEY GENERAL**

April 23, 2019

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

RE: Robert Joe Long

Dear Governor DeSantis:

Robert Joe Long pleaded guilty to one count of first-degree murder on September 23, 1985, for the May 27, 1984, first-degree murder of a young woman he picked up on Kennedy Boulevard in Tampa, Florida. On September 23, 1985, he also pleaded guilty to seven additional first degree murder charges and numerous sexual batteries and kidnapping charges. He was sentenced to death on September 23, 1985, for the murder of the young woman he killed on May 27, 1984. The Florida Supreme Court, on direct appeal, affirmed Long's convictions and sentences on June 30, 1988, but as to the death penalty sentence, the court vacated the death sentence and remanded the case to the trial court for a new penalty phase. *Long v. State*, 529 So.2d 286 (Fla.1988).

On remand before a new jury, Long was again sentenced to death in Hillsborough County, Florida. After the jury returned its unanimous recommendation of a sentence of death, the trial court on July 21, 1989, followed that recommendation and sentenced Long to death. On appeal from resentencing, the Florida Supreme Court affirmed Long's new death sentence. *Long v. State*, 610 So.2d 1268 (Fla.1992). His convictions and other sentences and the death sentence became final when the United States Supreme Court denied his petition for writ of certiorari, October 4, 1993, in *Long v. Florida*, 510 U.S. 832 (1993).

Long filed his initial motion for post-conviction relief on December 29, 1994. That motion was denied August 1, 1995, and the appeal was dismissed in *Long v. State*, 672 So.2d 543 (Fla. 1996) (Table). A second motion for post-conviction relief was filed on October 4, 1995. The trial court, following a three day evidentiary hearing in May-June 2011, denied relief on November 29, 2011. Long filed his appeal of that decision to the Florida Supreme Court on December 12, 2011, and the court affirmed the denial of all post-conviction relief in *Long v. State*, 118 So.3d 798 (Fla. 2013).

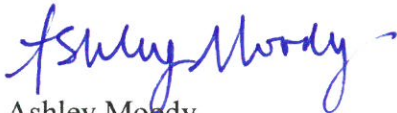
Long's litigation history reflects he then filed his initial federal petition for writ of habeas corpus in the U.S. District Court for the Middle District of Florida on August 12, 2013. The federal district court denied Long's habeas petition on August 30, 2016. Long filed an application for a certificate of appealability (COA). The Eleventh Circuit Court of Appeals denied the COA in *Long v. Secretary, Fla. Dept. of Corrections*, Case No. 16-16259-P (USDA Jan. 4, 2017).

During this same time-period, Long returned to the state trial court and filed a successive motion for post-conviction relief on September 9, 2014. On November 4, 2014, the trial court denied post-conviction relief. Long appealed to the Florida Supreme Court on November 26, 2014, and the court affirmed the denial of relief in *Long v. State*, 183 So.3d 342 (Fla. 2016).

Long then filed another successive post-conviction motion seeking *Hurst* relief on January 3, 2017. The trial court denied Long's *Hurst* claim on April 27, 2017, and the Florida Supreme Court affirmed the trial court's denial of relief on January 29, 2018, in *Long v. State*, 235 So.3d 293 (Fla. 2018). The United States Supreme Court denied Long's petition for writ of certiorari on October 1, 2018. *Long v. Florida*, 139 S.Ct. 162 (2018)(Mem).

The record has been reviewed and there are no stays of execution issued by any court of competent jurisdiction in this cause. Based upon the above-referenced summary of litigation affirming the judgment and sentence of death imposed for first-degree murder, the record is legally sufficient to support the issuance of a death warrant.

Sincerely,



Ashley Moody
Attorney General

DEATH WARRANT

STATE OF FLORIDA

WHEREAS, ROBERT JOSEPH LONG, on or about the 27th day of May, 1984, murdered Michelle Simms; and

WHEREAS, ROBERT JOSEPH LONG, on the 23rd day of September, 1985, pleaded guilty to the crimes of first degree murder, kidnapping, and sexual battery, and on the 21st day of July, 1989, was sentenced to death for the murder of Michelle Simms; and

WHEREAS, on the 26th day of January, 1992, the Supreme Court of Florida affirmed the death sentence of ROBERT JOSEPH LONG; and

WHEREAS, on the 11th day of July, 2013, the Supreme Court of Florida affirmed the trial court order denying ROBERT JOSEPH LONG's Motion for Postconviction Relief, and on the 21st day of January, 2016 and the 29th day of January, 2018, affirmed the trial court orders denying his Motions for Collateral Relief; and

WHEREAS, on the 30th day of August, 2016, the United States District Court for the Middle District of Florida denied ROBERT JOSEPH LONG's federal Petition for Writ of Habeas Corpus, and the United States Court of Appeals for the Eleventh Circuit denied his Application for Certificate of Appealability on the 4th day of January, 2017; and

WHEREAS, further postconviction motions and petitions filed by ROBERT JOSEPH LONG have been denied, and affirmed on appeal; and

WHEREAS, executive clemency for ROBERT JOSEPH LONG, as authorized by Article IV, Section 8(a), of the Florida Constitution, was considered pursuant to the Rules of Executive Clemency, and it has been determined that executive clemency is not appropriate; and

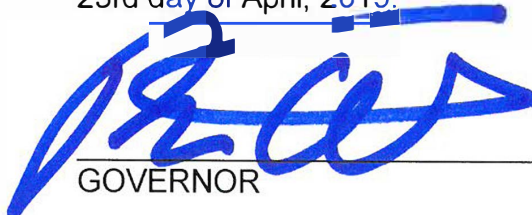
WHEREAS, attached hereto is a certified copy of the record of the conviction and sentence pursuant to section 922.052, Florida Statutes.

NOW, THEREFORE, I, RON DESANTIS, as Governor of the State of Florida and pursuant to the authority and responsibility vested in me by the Constitution and Laws of Florida, do hereby issue this warrant, directing the Warden of the Florida State Prison to

cause the sentence of death to be executed upon ROBERT JOSEPH LONG, in accord with the provisions of the Laws of the State of Florida.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed at Tallahassee, the Capital, this 23rd day of April, 2019.


GOVERNOR

ATTEST:


SECRETARY OF STATE

RECEIVED
2019 APR 23 PM 4:03
SECRETARY OF STATE
TALLAHASSEE, FLORIDA

FILED

1

PROBATION VIOLATOR
(Check if Applicable)

JUL 21 1989

IN THE CIRCUIT COURT, THIRTEENTH
JUDICIAL CIRCUIT, IN AND FOR
HILLSBOROUGH COUNTY, FLORIDA

RICHARD AKE, CLERK

DIVISION B

STATE OF FLORIDA

RECORDED

CASE NUMBER 84-13346

— vs —

JUL 21 1989

ROBERT JOE LONG

RICHARD AKE, CLERK

Defendant

JUDGMENT

The Defendant, ROBERT JOE LONG, being personally before this

Court represented by ROBERT FRASER, ESQUIRE, his attorney of record, and having:

(Check Applicable Provision)

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

COUNT	CRIME	OFFENSE STATUTE NUMBER(S)	DEGREE OF CRIME	CASE NUMBER
ONE	KIDNAPPING	787.01(1)(a)(2)	1F-PBL	
TWO	SEXUAL BATTERY	794.011(3)	LF	
THREE	FIRST DEGREE MURDER	782.04	CF	

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

The Defendant is hereby ordered to pay the sum of twenty dollars (\$20.00) pursuant to F.S. 960.20 (Crimes Compensation Trust Fund). The Defendant is further ordered to pay the sum of three dollars (\$3.00) as a court cost pursuant to F.S. 943.25(4).

(Applicable if checked)

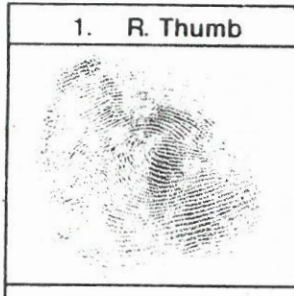
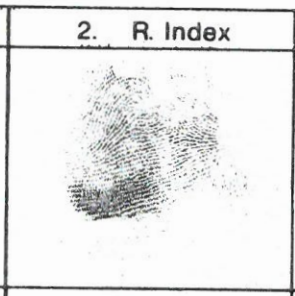
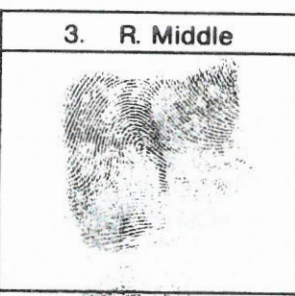
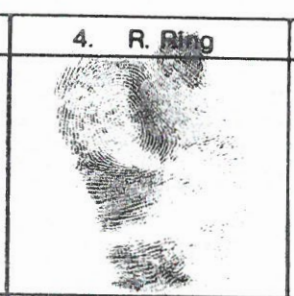
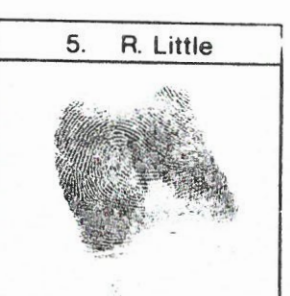

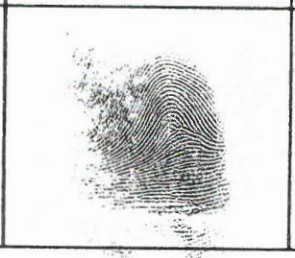
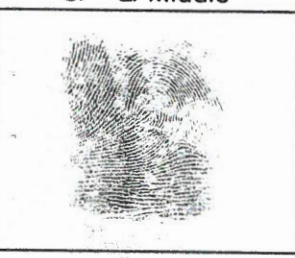
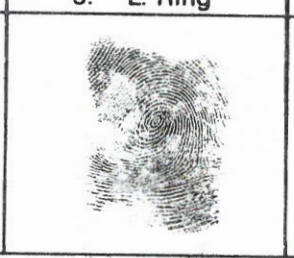
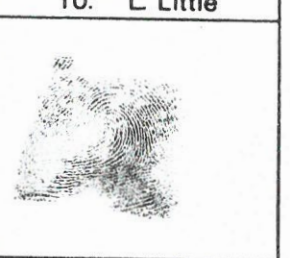
- The Defendant is ordered to pay the sum of two dollars (\$2.00) pursuant to F.S. 943.25(o). (Optional)
- The Defendant is ordered to pay a fine in the sum of \$_____ pursuant to F.S. 775.0835. (Optional)
- The Defendant is ordered to pay the sum of two hundred dollars (\$200.00) costs pursuant to F.S. 27.3455
- The Defendant is ordered to pay additional costs in the sum of \$_____

(Applicable if checked)

- The Court hereby stays and withholds the imposition of sentence as to count(s) _____
- The Court hereby defers imposition of sentence until _____
- The Court places the Defendant on Probation for a period of _____ under the supervision of the Department of Corrections (conditions of probation set forth in separate order).
- The Court places the Defendant in Community Control for a period _____ under the supervision of the Department of Corrections (conditions of community control set forth in separate order).

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

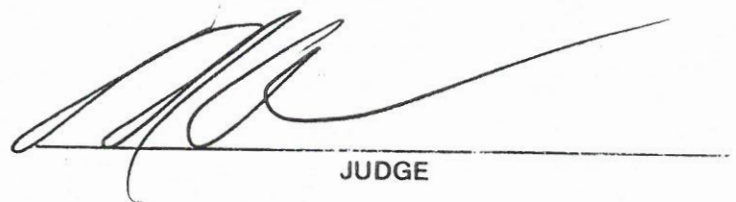
FINGERPRINTS OF DEFENDANT

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

Fingerprints taken by:

B. Grzesley 2015
Name and Title

DONE AND ORDERED in Open Court at Hillsborough County, Florida, this 21st day of JULY A.D., 19 89. I HEREBY certify that the above and foregoing fingerprints are the fingerprints of the Defendant ROBERT JOE LONG and that they were placed thereon by said Defendant in my presence in Open Court this date.


JUDGE

STATE OF FLORIDA
 COUNTY OF HILLSBOROUGH
 THIS IS TO CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE IN MY OFFICE WRITTEN BY HAND AND OFFICIAL SEAL THIS 23rd DAY OF March 20 18
 JUDGE FRANK
 CLERK OF CIRCUIT COURT
 BY [Signature] D.C.
 Eileen Salas-Acevedo

FILED

2

JUL 21 1989

RICHARD AKE, CLERK

Defendant ROBERT JOE LONG

Case Number 84-13346-B

SENTENCE

(As to Count ONE)

The Defendant, being personally before this Court, accompanied by his attorney, ROBERT FRASER, ESQUIRE, and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no cause being shown.

- and the Court having on _____ deferred imposition of sentence until this date. (date)
- and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.
- and the Court having placed the Defendant in community control and having subsequently revoked the Defendant's community control by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

- The Defendant pay a fine of \$ _____, plus \$ _____ as the 5% surcharge required by F.S. 960.25
- The Defendant is hereby committed to the custody of the Department of Corrections
- The Defendant is hereby committed to the custody of the Sheriff* of Hillsborough County, Florida
(Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

- For a term of Natural Life WITH CREDIT TIME
- For a term of _____
- For an indeterminate period of 6 months to _____ years.

If "split" sentence complete either of these two paragraphs

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

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this action.

- Firearm - 3 year mandatory minimum** It is further ordered that the 3 year minimum provisions of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.
- Drug Trafficking - mandatory minimum** It is further ordered that the _____ year minimum provisions of F.S. 893.135(1)() are hereby imposed for the sentence specified in this count.
- Retention of Jurisdiction** The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of _____. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.
- Habitual Offender** The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.
- Jail Credit** It is further ordered that the Defendant shall be allowed a total of SINCE 11-10-84 credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

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

* AND CONCURRENT WITH COUNT THREE (3).

1324

Defendant ROBERT JOE LONG

Case Number 84-13346-B

Consecutive/
Concurrent
(As to other
convictions)

It is further ordered that the composite term of all sentences imposed for the counts specified in this order shall run consecutive to concurrent with (check one) the following:

- Any active sentence being served.
- Specific sentences: COUNTS 1 & 2 CONC W/ 84-13343, 84-13344, 84-13345, 84-13347, 84-13348,
84-13349, 84-13350, 84-13310 & 84-4213

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

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

In imposing the above sentence, the Court further recommends _____

* SENTENCING GUIDELINES FILED.

DONE AND ORDERED in Open Court at Hillsborough County, Florida, this 21st day of JULY A.D., 1989.



JUDGE

STATE OF FLORIDA)
COUNTY OF HILLSBOROUGH)
This is to certify that the foregoing is a true and correct copy of the document on file in my office, witnessed by hand and official seal this 23rd day of March 2018



PAT FRANK
CLERK OF CIRCUIT COURT
BY [Signature] D.C.

FILED

JUL 21 1987

RICHARD AKE, CLERK

Defendant ROBERT JOE LONG

Case Number 84-13346-B

SENTENCE

(As to Count TWO)

The Defendant, being personally before this Court, accompanied by his attorney, ROBERT FRASER, ESQUIRE, and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no cause being shown.

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

(Check either provision if applicable)

and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.

and the Court having placed the Defendant in community control and having subsequently revoked the Defendant's community control by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

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

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

The Defendant is hereby committed to the custody of the Sheriff* of Hillsborough County, Florida
(Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

For a term of Natural Life WITH CREDIT TIME

For a term of _____

For an indeterminate period of 6 months to _____ years.

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

If "split" sentence complete either of these two paragraphs

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

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this action.

Firearm - 3 year mandatory minimum It is further ordered that the 3 year minimum provisions of F.S. 775.087(2) are hereby imposed for the sentence specified in this count, as the Defendant possessed a firearm.

Drug Trafficking - mandatory minimum It is further ordered that the _____ year minimum provisions of F.S. 893.135(1)() are hereby imposed for the sentence specified in this count.

Retention of Jurisdiction The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of _____. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

Habitual Offender The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

Jail Credit It is further ordered that the Defendant shall be allowed a total of SINCE 11-10-84 credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

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

* AND CONCURRENT WITH COUNT THREE (3).

FILED

JUL 21 1989

RICHARD AKE, CLERK

Defendant ROBERT JOE LONG
Case Number 84-13346-B

SENTENCE

(As to Count THREE)

The Defendant, being personally before this Court, accompanied by his attorney, ROBERT FRASER, ESQUIRE, and having been adjudicated guilty herein, and the Court having given the Defendant an opportunity to be heard and to offer matters in mitigation of sentence, and to show cause why he should not be sentenced as provided by law, and no cause being shown.

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

(Check either provision if applicable)

and the Court having placed the Defendant on probation and having subsequently revoked the Defendant's probation by separate order entered herein.

and the Court having placed the Defendant in community control and having subsequently revoked the Defendant's community control by separate order entered herein.

IT IS THE SENTENCE OF THE LAW that:

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

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

The Defendant is hereby committed to the custody of the Sheriff* of Hillsborough County, Florida
(Name of local corrections authority to be inserted at printing, if other than Sheriff)

To be imprisoned (check one; unmarked sections are inapplicable)

For a term of Natural Life

For a term of DEATH BY ELECTROCUTION

For an indeterminate period of 6 months to _____ years.

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

If "split" sentence complete either of these two paragraphs

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

SPECIAL PROVISIONS

By appropriate notation, the following provisions apply to the sentence imposed in this action.

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Drug Trafficking - mandatory minimum It is further ordered that the _____ year minimum provisions of F.S. 893.135(1)() are hereby imposed for the sentence specified in this count.

Retention of Jurisdiction The Court pursuant to F.S. 947.16(3) retains jurisdiction over the defendant for review of any Parole Commission release order for the period of _____. The requisite findings by the Court are set forth in a separate order or stated on the record in open court.

Habitual Offender The Defendant is adjudged a habitual offender and has been sentenced to an extended term in this sentence in accordance with the provisions of F.S. 775.084(4)(a). The requisite findings by the court are set forth in a separate order or stated on the record in open court.

Jail Credit It is further ordered that the Defendant shall be allowed a total of SINCE 11-10-84 credit for such time as he has been incarcerated prior to imposition of this sentence. Such credit reflects the following periods of incarceration (optional):

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

THIS 23rd DAY OF March 20 18

FAT FRANK
CLERK OF CIRCUIT COURT
BY [Signature] D.C.
Eileen Salas-Acevedo