




error is that *Atkins* should be reconsidered and clarified. The court followed what it believed to be applicable precedent.

As expected, the State's arguments are well stated and reflect considerable knowledge of the issues. However, the Applicant's response is equally impressive and addresses the first two objections in detail. The Applicant's arguments in opposition to the motion are found to be persuasive. As for revisiting *Atkins*, this court believes that precedent is binding at this point and has attempted to follow it in determining the findings and conclusions that were reached.

The extreme gravity and horrendous impact of Mr. Stone's inexcusable murder of a law enforcement officer who was acting in performance of his duties are not lost upon the court. Family and friends of the victim were present throughout the process after years of delays, and the court is mindful that Sergeant Charlie Kubala was more than an officer to them and many others. The determinations made are those which this court believes to be required under the law.

#2 THEREFORE, IT IS ORDERED that the State's motion to alter or amend is respectfully denied.

AND IT IS SO ORDERED.

  
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William P. Keesley  
Circuit Court Judge

December 22, 2025