

Man Sentenced to Death In Stepdaughter's Murder

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BARTOW | A judge Monday sentenced Roy Phillip Ballard to die for the murder of his stepdaughter, Autumn Traub, whose body has never been found.

Polk County sheriff's bailiff Terry Jones, left, fingerprints Roy Phillip Ballard after Ballard was sentenced to death by Circuit Judge Donald Jacobsen at the Polk County Courthouse on Monday.

Circuit Judge Donald Jacobsen needed only about 10 minutes to impose his sentence. But the judge spent weeks devising an in-depth, 18-page sentencing order analyzing the complex murder case.

Jacobsen noted that prosecutors clearly proved "a single strong aggravator" for the law's ultimate punishment: The murder was "cold, calculated and premeditated."

"The murder of Autumn Traub was not a crime of rage," Jacobsen wrote. "It was a well thought out and planned murder."

In July, a jury found Ballard guilty of the first-degree murder of Autumn Marie Traub of Lakeland. The same jury recommended by a 9-3 vote that Ballard be executed.

Traub was 33 when she disappeared Sept. 13, 2006, after meeting with Ballard in Lakeland.

At trial, prosecutors argued that the 67-year-old Zephyrhills man was motivated by a sexual obsession for a 14-year-old female relative. Traub was preventing Ballard from regaining custody of the girl.

The Ledger is not naming the girl because she is an alleged victim of a sex crime.

Ballard's former cellmate had testified Ballard confided to him how he killed Traub. Michael Eugene Needham said Ballard told him he hit Traub in the head with a pipe, bashed her teeth out and put her body in acidic water.

Inside the trunk of Ballard's car, detectives recovered plastic Wal-Mart bags with a small trace of Traub's blood on them, a roll of duct tape with blood on it thought to be Traub's and a sex toy with the girl's DNA material on it.

Detectives also found a receipt from a home improvement store dated Sept. 2, 2006, for an 18-inch metal pipe and a roll of duct tape.

But the pipe was never recovered, and Ballard told detectives he could not remember what he did with it.

Records for Ballard's cell phone show he was using cell towers in an undeveloped rural area in North Lakeland on the day before and the day of Traub's disappearance.

Prosecutors argued Ballard scouted a remote area to commit the murder and dispose of her body.

Ballard's lawyers, Byron Hileman and Stephen Fisher, argued brain damage and other medical problems impaired Ballard's ability to follow the law and control his behavior.

They provided doctors who testified Ballard suffers from mild to moderate brain damage caused over the years by multiple small strokes.

The defense said Ballard suffers from other medical problems - dementia, diabetes, epilepsy and hypertension. They also argued Ballard's behavior problems were intensified by a toxic level of seizure medication in his blood.

But Jacobsen only gave "slight weight" to the various medical and age-related evidence.

He wrote that there is some evidence of brain damage, but Ballard "did not demonstrate any outward signs of extreme or emotional disturbance."

Ballard's boss - during "practical day to day observations" before and after the murder - did not notice any changes in Ballard's demeanor or behavior.

Ballard was leading a normal life putting in full days as a maintenance supervisor for Atlantic Metal Industries in Tampa, the judge wrote.

"His aging did not appear to slow him down," Jacobsen wrote.

At 67, Ballard won't be the oldest Polk County inmate on Florida's death row. Nelson Serrano, convicted of four murders at the Erie Manufacturing plant in Bartow in 1997, is 70.

The oldest inmate currently on death row is 80, according to the Web site of the Florida Department of Corrections.

There are 14 other Polk County killers on death row. The last Polk murderer to be executed was Phillip Atkins in 1995.

