

Death penalty overturned for man who killed girlfriend while high on cocaine

May 20, 2010 6:00 PM

[Katie Tammen](#)

Daily News

TALLAHASSEE — The Florida Supreme Court has overturned the death sentence for a Walton County man convicted in 2008 of killing his girlfriend.

In a 5-2 ruling Thursday, the justices decreed that Kirk D. Williams would serve a sentence of life in prison.

It overturned the death sentence because none of the evidence provided in the trial indicated it was a premeditated murder, according to the 58-page opinion.

“In this case, virtually all the evidence is inconsistent with the murder being planned,” the ruling stated.

Walton County Circuit Judge Kelvin Wells sentenced Williams to death after a jury found him guilty of the Oct. 3, 2006 murder of 48-year-old Susan Littrell Dykes. While high on cocaine, Williams beat Dykes to death with an aluminum t-ball bat inside her home near DeFuniak Springs, tied cinder blocks to her body and dumped her in a lake near the Holmes County line.

Wells declined to comment on the case, but prosecuting Assistant State Attorney Bobby Elmore said he still thinks the sentence was justified.

“I wouldn’t ever be disrespectful of the Supreme Court, but we wouldn’t have sought the death penalty if we didn’t believe it was justified for Mr. Williams,” Elmore said. “We felt there was enough evidence that proved he had the intent to kill her before she was killed.”

Wells’ 2008 sentence came after the jury voted 11-1 to recommend the death penalty for Williams.

At the time, Wells said it couldn’t be proven that Williams was high on cocaine at the time of the murder and that Williams’ actions before and after the murder indicated it was premeditated.

Dykes’ daughter, Jennifer Gess, who said when the trial ended she was satisfied with the outcome, expressed frustration with the Supreme Court’s decision.

“I’m not happy about it, but what can I do?” Gess said. “I can learn to live with that (the ruling). I don’t like it, but I can learn to live with it.”

Gess said she intends to move forward with her life and create an organization in honor of her mother to help out women in abusive domestic relationships.

“These women out there that are in the same situation, we need to do more to protect them and make there be help (for them) because I know here there’s nothing, not really,” Gess said.