

Serial killer Robert Yates Jr. seeks federal appeal of death sentence

Posted by [Mike Carter](#)

Condemned serial killer Robert Lee Yates Jr., awaiting execution for the [murders of two women](#) in Pierce County in the late 1990s, is seeking an appeal of his death sentence in U.S. District Court in Seattle.

Yates, 60, a father of five and former Air National Guard helicopter pilot, has already had his [death sentence upheld](#) by the Washington State Supreme Court, and the U.S. Supreme Court has refused to reconsider that decision. Yates is now attempting to enter the federal district court system by seeking a petition for habeas corpus.

Even though Yates does not currently have an execution date, U.S. District Judge Ricardo Martinez ordered a stay until September, pending the filing of the formal petition. Martinez said that Yates has raised at least one “nonfrivolous ground for relief.” He also appointed two attorneys to represent him on appeal.

Yates, who has confessed and pleaded guilty to 13 other murders in Spokane, Walla Walla and Skagit counties, alleges in a petition filed Wednesday that he was denied effective counsel during his 2002 trial in Pierce County. He alleges his attorneys failed to adequately investigate and present to the jury evidence of mental illness or present “evidence of Yates’s many positive relationships, his acts of caring and kindness, and his love he feels for his family and they feel for him.”

“Robert Yates has repeatedly killed,” the motion states. “Understanding and explaining why ... is the most basic duty of competent capital counsel.

“Trial counsel failed to meet that obligation in this case,” the motion says.

The motion states that Yates is mentally ill and that, “through no fault of his own, Mr. Yates suffers from a severe paraphilic disorder” that predisposed him to commit sex-killings.

“I don’t think Mr. Yates helps his cause by relying on the fact that he’s a necrophiliac,” said Pierce County Prosecutor Mark Lindquist.

Yates killed at least 15 people, mostly prostitutes, between 1996 and 1998. He received a [plea deal](#) and 408 years in prison in 2000 for confessing to 13 of the murders.

Prosecutors in Pierce County, where two of the women were killed, sought and obtained a death penalty in 2002 for the deaths of Melinda Mercer, 24, in 1997 and Connie LaFontaine Ellis, 35, in 1998.