

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

In the Matter of the
Federal Bureau of Prisons' Execution
Protocol Cases

LEAD CASE: *Roane, et al. v. Garland*

THIS DOCUMENT RELATES TO:

ALL CASES

Case No. 19-mc-0145 (TSC)

JOINT STATUS REPORT

The parties respectfully submit this joint status report pursuant to the Court's minute order dated September 8, 2021.

1. Plaintiffs in this case are death-sentenced federal prisoners who claim that the Federal Bureau of Prisons' 2019 Execution Protocol Addendum, as amended, violates the Eighth Amendment of the Constitution.

2. On July 1, 2021, the Attorney General of the United States issued a memorandum directing the Department of Justice's Office of Legal Policy, under the supervision of the Deputy Attorney General, to review the Department's policies and procedures for federal executions, including the 2019 Execution Protocol Addendum, the execution regulations, and relevant provisions of the *Justice Manual*. The memorandum states that "[n]o federal executions will be scheduled during the pendency of these reviews" and directs the Federal Bureau of Prisons "to suspend the use of the Addendum pending" further review.

3. In light of these developments, the parties stipulated to a stay and administrative closure of this action while the Department of Justice reviews its policies and procedures for executions. ECF No. 433. The parties further stipulated that they would submit joint status reports to this Court beginning six months after the Court's order administratively closing this case and

every ninety days thereafter during the pendency of the Department of Justice’s review of the Federal Execution Protocol Addendum. *Id.* at 4. The parties stipulated that these reports “shall state whether the review is still pending and whether there is an anticipated date as to the completion of the review.” *Id.*

4. The Court subsequently adopted the stipulation, stayed proceedings, directed the administrative closure of this case, and ordered the parties to submit joint status reports on the schedule the parties proposed. Min. Order (Sept. 8, 2021).

5. In accordance with the Court’s September 8, 2021 order, the parties report that the Department of Justice’s review is still ongoing and there is currently no anticipated date for completion of the review.

6. The parties will file another joint status report by December 2, 2024.

Respectfully submitted,

/s/Gerald W. King, Jr.
Gerald W. King, Jr.
N.C. Bar No. 59129
Chief, Capital Habeas Unit
For the Fourth Circuit
Federal Public Defender
Western District of North Carolina
129 West Trade Street, Suite 300
Charlotte, NC 28202
Tel: (704) 374-0720
Direct: (704) 688-6946
E-mail: gerald_king@fd.org

Jeffrey Lyn Ertel
Ga. Bar No. 249966
MENDELSON ERTEL LAW GROUP
101 Marietta Street, Suite 3325
Atlanta, Georgia 30303
404-376-6572
Jeffrey@tmelg.org

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BRIAN M. BOYTON
Principal Deputy Assistant Attorney General

JEAN LIN
Special Litigation Counsel

/s/ Bradley P. Humphreys
BRADLEY P. HUMPHREYS (D.C. Bar #988057)
Senior Trial Counsel
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, D.C. 20530
Tel.: (202) 305-0878 / Fax: (202) 616-8460
Email: bradley.humphreys@usdoj.gov

Counsel for Defendants

Stephen Northup
VSB #16547
Troutman Pepper
P.O. Box 1122
Richmond, Virginia 23218-1122
(804) 301-4920
steve.northup@troutmansanders.com

Frederick R. Gerson
VSB #39968
Bank Of America Center
1111 East Main Street, 16th Floor
Richmond, Virginia 23219
(804) 482-1121
fgerson@dagglaw.com

Counsel for Plaintiff Richard Tipton, III

/s/Jennifer Ying
Jennifer Ying (DE #5550)
MORRIS, NICHOLS, ARSHT &
TUNNELL LLP
1201 N. Market St.
P.O. Box 1347
Wilmington, Delaware 19801
(302) 658-9200
jying@mnat.com

Eliza Meredith
Arkansas Federal Defender Office
1401 West Capitol, Suite 490
Little Rock, Arkansas 72201
(501) 324-6113
Eliza_Meredith@fd.org

Counsel for Plaintiff Norris G. Holder, Jr.

/s/Evan D. Miller

Evan D. Miller (DC Bar # 219310)
Vinson & Elkins LLP
2200 Pennsylvania Avenue, NW
Suite 500 West
Washington, D.C. 20037
(202) 639-6605
(202) 478-1815 (fax)
emiller@velaw.com

Counsel for Plaintiff Bruce Webster

/s/Joshua C. Toll

Joshua C. Toll
D.C. Bar No. 463073
King & Spalding LLP
1700 Pennsylvania Avenue, N.W.
Washington, DC 20006
(202) 737-8616
jtoll@kslaw.com

Margaret O'Donnell
P.O. Box 4815
Frankfort, KY 40604
(502) 320-1837
mod@dcr.net

Counsel for Plaintiff Anthony Battle

/s/Shawn Nolan

Shawn Nolan
Chief, Capital Habeas Unit
Federal Community Defender Office, E.D.Pa.
601 Walnut Street, Suite 545 West
Philadelphia, PA 19106
(215) 928-0520
shawn_nolan@fd.org

Counsel for Plaintiff Jeffrey Paul

/s/Paul F. Enzinna

Paul F. Enzinna D.C. Bar No. 421819
Ellerman Enzinna PLLC
1050 30th Street, NW
Washington, DC 20007
202.753.5553

Counsel for Plaintiff James H. Roane, Jr.

/s/ Jonathan C. Aminoff

Jonathan C. Aminoff
Michael Petersen
Deputy Federal Public Defenders
321 E. Second Street
Los Angeles, CA 90012
(213) 894-2854

Counsel for Plaintiff Julius O. Robinson

/s/ Joseph Luby

Joseph Luby, Assistant Federal Defender
Federal Community Defender Office, E.D.Pa.
601 Walnut Street, Suite 545 West
Philadelphia, PA 19106
Telephone – 215-928-0520
Email – joseph_luby@fd.org

Counsel for Plaintiff Chadrick Fulks