



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

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November 23, 2009

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The Honorable Steven L. Beshear
Governor of Kentucky
State Capitol, Room 100
Frankfort, KY 40601

Re: Execution Date for Gregory L. Wilson

Dear Governor Beshear:

This letter is to request that an execution date be set for death row inmate and convicted murderer, Gregory L. Wilson. Wilson was convicted of kidnapping, raping, and murdering a young woman from Kenton County, Deborah Pooley, as she was returning home in May of 1987. Wilson used a knife to force Ms. Pooley into the back seat of her own car. Then Wilson's female accomplice drove the car while Wilson raped Ms. Pooley in the back seat.

Deborah Pooley begged Wilson for her life. She kept saying, "I don't want to die." Wilson and his accomplice frankly told Ms. Pooley that they planned to kill her because she had seen them. Wilson tied her hands with a lamp cord, robbed her, and strangled her to death. Wilson and his female accomplice enjoyed the fruits of the crime by going on a shopping spree with Ms. Pooley's credit card. Ms. Pooley's naked and badly decomposed corpse was found in a wooded area in Indiana 17 days later. On October 31, 1988, Wilson was sentenced to death for the murder of Deborah Pooley.

Wilson was 30 years old on the day that he killed Deborah Pooley, yet he was no stranger to violence against women. Only a few months before he crossed the Ohio River to kill Deborah Pooley, Wilson was released on parole from an Ohio prison following two convictions for rape.

Wilson has exhausted all of his "matter of right" appeals in the state and federal courts. On June 4, 1992, the Supreme Court of Kentucky affirmed Wilson's death sentence for murder. The United States Supreme Court denied Wilson's petition for writ of certiorari on April 19, 1993. His petition for rehearing of the denial of certiorari was denied October 4, 1993.

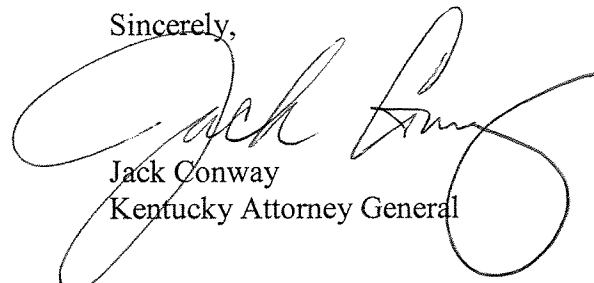


On October 15, 1998, the opinion of the Supreme Court of Kentucky in Wilson v. Commonwealth, 975 S.W.2d 901 (1998) became final. That opinion denied Wilson's RCr 11.42 motion to vacate his convictions and death sentence. His subsequent petition for writ of certiorari was again denied by the United States Supreme Court on March 22, 1999. Most recently, the United States Supreme Court rejected another petition for writ of certiorari following the refusal of the federal courts to grant relief through habeas corpus proceedings. Wilson v. Simpson, ____ S.Ct. ____, 2009 WL 1513269 (October 5, 2009) (No. 08-10636). Wilson has filed a Petition for Rehearing from this denial of certiorari review. The Petition for Rehearing does not affect the finality of the federal courts' refusal of habeas relief, nor does it create any legal impediment to execution.

Wilson has attempted to challenge his death sentence through other litigation. On September 30, 2009, a federal court dismissed Wilson's challenge to Kentucky's method of lethal injection as that challenge was not timely brought. That case made arguments similar to those that were rejected by the U.S. Supreme Court in Baze v. Rees, ____ U.S. ____, 128 S.Ct. 1520 (2008), in that he alleged that the combination of drugs and procedures utilized by the Commonwealth during execution by lethal injection pose an unnecessary risk of harm. Wilson has filed a notice of his intent to appeal that dismissal, but the case is not a bar to execution as it is entirely collateral to the criminal judgment.

As the entire three-stage appellate process has been exhausted in this case, and there is no remaining legal impediment to the finality of this death sentence, I am performing my solemn duty to enforce the laws of the Commonwealth and am requesting the issuance of this death warrant. It has been more than 22 years since Wilson raped and murdered Deborah Pooley. I ask that you set an execution date for Gregory Wilson pursuant to KRS 431.218.

Sincerely,



Jack Conway
Kentucky Attorney General

c: Daniel T. Goyette
Louisville Metro Public Defender

EXECUTIVE ORDER

Secretary of State
Frankfort, Kentucky

_____, 20__

COMMONWEALTH OF KENTUCKY

versus

GREGORY L. WILSON

TO THE WARDEN OF THE KENTUCKY STATE PENITENTIARY:

WHEREAS, Gregory L. Wilson was tried and convicted in the Kenton Circuit Court for the crime of capital murder and his punishment fixed at death, judgment being regularly and properly entered by the Kenton Circuit Court; and

WHEREAS, said Gregory L. Wilson was granted an appeal to the Supreme Court of Kentucky, the highest court in the Commonwealth of Kentucky, which sustained and affirmed the judgment of the Kenton Circuit Court; and

WHEREAS, the Supreme Court of the United States has denied certiorari; and

WHEREAS, said Gregory L. Wilson has not obtained any further stay of execution from any court having jurisdiction:

NOW, THEREFORE, I, Steven L. Beshear, Governor of the Commonwealth of Kentucky, pursuant to the provisions of KRS 431.218, 431.220, 431.240(4), and 431.224 do hereby

command you on _____200____, within the confines of the state penal institution designated by the Department of Corrections, to put said Gregory L. Wilson to death pursuant to KRS 431.220.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the Commonwealth to be affixed hereto.

Done at Frankfort, Kentucky, this ____ day of _____, _____.

STEVEN L. BESHEAR
GOVERNOR OF KENTUCKY

TREY GRAYSON
SECRETARY OF STATE