Of course!

May 23, 2025

7:22

5G

WC

William Cole

1d

Billy - how are things going with the TX reply? Appreciate your help [illegible]ch.

Jun 2, 2025

10:06 AM

I'm told our team has made great headway—finished up the first two sections and working on the third. I'm imagining it may be closer to next week, though, as I am parachuting into a redistricting trial this week!

3:58 PM

Jun 9, 2025

Apologies for interrupting trial work!

anything new on AEDPA certification letter?

Would it help for Jonathan Mitchell to ping anyone?

9:27 AM

I'm hoping this week! Waiting for a confirmation from the team will let you know tomorrow! Don't think we need Jonathan's help.

Message

Jun 30, 2025



You are the best. Thank you
8:39 AM

Happy to help, and thanks for spearheading it!
8:39 AM

Jul 2, 2025

Okay! Finally got sign off and hopefully can send you this letter this day. Can we chat for 5min at your convenience so I can tell you what's coming?
12:07 PM

Jul 7, 2025

How are things? Ping me when you have a chance
8:57 AM

Will give ya a ring this morning. Onboarding our new SG for a little while!
10:39 AM

Jul 8, 2025

ACLU v DOJ - 26-cv-2749/3746 000002

so?

11:51 AM

Jul 18, 2025

Have lunch meeting from 12:30 to 1:30 or so. Ping me when you're free and I can call you back?

Generally positive? 11:53 AM

Sounds good. May free up in an hour or so. We may have one snag w the lawsuit but let's talk it through

11:55 AM

I've freed up so happy to chat when convenient.

Though I have a call in about 2 hrs.

2:01 PM

Outgoing voice call · 2:26 PM

Call Again

Jul 23, 2025

2 calls

Aug 1, 2025

From: "Cypher, Catharine (OAG)" <(b) (6)
To: "Day, Sean C. (OAG)" <(b) (6) "McCommas, Stuart (OAG)" <(b) (6) "Gilmartin, Chad (PAO)" <(b) (6) "McGavick, Gates (PAO)" <(b) (6)
Cc: "Whitaker, Henry (OAG)" <(b) (6) "Covington, Emily (PAO)" <(b) (6)
Subject: RE: 2265
Date: Thu, 12 Mar 2026 14:31:09 -0400
Importance: Normal

I think doing our own release makes sense. A stark difference from the last DOJ and all the commutations!

From: Day, Sean C. (OAG) <(b) (6)
Sent: Thursday, March 12, 2026 1:04 PM
To: McCommas, Stuart (OAG) <(b) (6) Cypher, Catharine (OAG) <(b) (6) Gilmartin, Chad (PAO) <(b) (6) McGavick, Gates (PAO) <(b) (6)
Cc: Whitaker, Henry (OAG) <(b) (6)
Subject: FW: 2265

This refers to an NPRM that would remove roadblocks put up by the Obama administration to allowing States to move their death penalty case faster through the federal habeas process. Basically Congress ***in 2006*** set up this process and it has never been fully implemented (Barr tried but ran out of time). Literally 20 years have passed and its never been implemented.

I agree with Paul that drawing attention to this is a big win for the AG and the Department.

From: Perkins, Paul (ODAG) <(b) (6)
Sent: Thursday, March 12, 2026 12:36 PM
To: Covington, Emily (PAO) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Day, Sean C. (OAG) <(b) (6)
Subject: 2265

I am told the AG signed the 2265 NPRM. Do we want to issue a press release once it hits the Fed. Register? It's a great win for the AG and should generate some positive publicity.

Paul R. Perkins
Associate Deputy Attorney General
U.S. Department of Justice
(b) (6)

From: "Hornbuckle, Wyn (PAO)" <(b) (6)
To: "Perkins, Paul (ODAG)" <(b) (6) "Canaparo, GianCarlo (OLP)" <(b) (6) "Antell, Kira M. (OLP)" <(b) (6) "Covington, Emily (PAO)" <(b) (6) "Baldassarre, Natalie (PAO)" <(b) (6) "Day, Sean C. (OAG)" <(b) (6) "McGavick, Gates (PAO)" <(b) (6)
Cc: "Gilmartin, Chad (PAO)" <(b) (6) "Christopher, Blake (OLP)" <(b) (6)
Subject: RE: 2265
Date: Fri, 13 Mar 2026 15:41:40 -0400
Importance: Normal

(b) (5) An alternative, as Paul suggests, is to flag it for reporters now.

From: Perkins, Paul (ODAG) <(b) (6)
Sent: Friday, March 13, 2026 3:30 PM
To: Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Hornbuckle, Wyn (PAO) <(b) (6) Covington, Emily (PAO) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6) McGavick, Gates (PAO) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Christopher, Blake (OLP) <(b) (6)
Subject: RE: 2265

(b) (5) We should also flag for the reporters tracking this.

From: Canaparo, GianCarlo (OLP) <(b) (6)
Sent: Friday, March 13, 2026 3:28 PM
To: Perkins, Paul (ODAG) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Hornbuckle, Wyn (PAO) <(b) (6) Covington, Emily (PAO) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6) McGavick, Gates (PAO) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Christopher, Blake (OLP) <(b) (6)
Subject: RE: 2265

Yes: https://www.federalregister.gov/public-inspection/2026-05134/certification-process-for-state-capital-counsel-systems

From: Perkins, Paul (ODAG) <(b) (6)
Sent: Friday, March 13, 2026 3:24 PM
To: Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Hornbuckle, Wyn (PAO) <(b) (6) Covington, Emily (PAO) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6) McGavick, Gates (PAO) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Christopher, Blake (OLP) <(b) (6)
Subject: RE: 2265

Does that mean it's up for public inspection today?

From: Canaparo, GianCarlo (OLP) <(b) (6)
Sent: Friday, March 13, 2026 3:23 PM
To: Perkins, Paul (ODAG) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Hornbuckle, Wyn (PAO) <(b) (6) Covington, Emily (PAO) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6) McGavick, Gates (PAO) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Christopher, Blake (OLP) <(b) (6)
Subject: RE: 2265

Update: OLC sent this to FedReg yesterday. It will be published on Monday.

From: Perkins, Paul (ODAG) <(b) (6)
Sent: Friday, March 13, 2026 12:32 PM
To: Antell, Kira M. (OLP) <(b) (6) Hornbuckle, Wyn (PAO) <(b) (6) Covington, Emily (PAO) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6) McGavick, Gates (PAO) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Christopher, Blake (OLP) <(b) (6)
Subject: RE: 2265

When do we expect this NPRM to hit the Fed. Register?

From: Antell, Kira M. (OLP) <(b) (6)
Sent: Thursday, March 12, 2026 3:21 PM
To: Hornbuckle, Wyn (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6) McGavick, Gates (PAO) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Christopher, Blake (OLP) <(b) (6)
Subject: RE: 2265

Adding others at OLP for viz and their edits. I know GianCarlo has been shepherding this.

From: Hornbuckle, Wyn (PAO) <(b) (6)
Sent: Thursday, March 12, 2026 1:37 PM
To: Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Day, Sean C. (OAG) <(b) (6) McGavick, Gates (PAO) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6)
Subject: RE: 2265

Sounds good to me. + Gates if others agree we can get the AG quote approved for this.

DRAFT quote: (b) (5)

From: Perkins, Paul (ODAG) <(b) (6)
Sent: Thursday, March 12, 2026 1:27 PM
To: Covington, Emily (PAO) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Day, Sean C. (OAG) <(b) (6) Hornbuckle, Wyn (PAO) <(b) (6)
Subject: RE: 2265

(b) (5) ?

From: Perkins, Paul (ODAG)
Sent: Thursday, March 12, 2026 12:36 PM
To: Covington, Emily (PAO) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6)
Antell, Kira M. (OLP) <(b) (6) Day, Sean C. (OAG) <(b) (6)
Subject: 2265

[redacted]
Duplicative Materials
[redacted]

From: "Kenlein, Katie (PAO)" <(b) (6)
To: "Hornbuckle, Wyn (PAO)" <(b) (6) "Gilmartin, Chad (PAO)" <(b) (6) "McGavick, Gates (PAO)" <(b) (6) "Perkins, Paul (ODAG)" <(b) (6) "Covington, Emily (PAO)" <(b) (6) "Canaparo, GianCarlo (OLP)" <(b) (6) "Antell, Kira M. (OLP)" <(b) (6) "Day, Sean C. (OAG)" <(b) (6) "Wallace, Michelle A. (PAO)" <(b) (6) "Fitzgerald, Kristen (PAO)" <(b) (6)
Cc: "Christopher, Blake (OLP)" <(b) (6) "Baldassarre, Natalie (PAO)" <(b) (6)
Subject: RE: 2265
Date: Tue, 17 Mar 2026 12:59:31 -0400
Importance: Normal

+@Fitzgerald, Kristen (PAO)

From: Kenlein, Katie (PAO)
Sent: Tuesday, March 17, 2026 12:58 PM
To: Hornbuckle, Wyn (PAO) <(b) (6) Gilmartin, Chad (PAO) <(b) (6) McGavick, Gates (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Day, Sean C. (OAG) <(b) (6) Wallace, Michelle A. (PAO) <(b) (6) Mastropasqua, Kristina (PAO) <(b) (6)
Cc: Christopher, Blake (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6)
Subject: RE: 2265

+ Kristen for digital—please advise on whether we would like social amplification.

From: Kenlein, Katie (PAO)
Sent: Tuesday, March 17, 2026 12:49 PM
To: Hornbuckle, Wyn (PAO) <(b) (6) Gilmartin, Chad (PAO) <(b) (6) McGavick, Gates (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Day, Sean C. (OAG) <(b) (6) Wallace, Michelle A. (PAO) <(b) (6)
Cc: Christopher, Blake (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6)
Subject: RE: 2265

Adding Michelle who can! Thank you!

From: Hornbuckle, Wyn (PAO) <(b) (6)
Sent: Tuesday, March 17, 2026 12:42 PM
To: Gilmartin, Chad (PAO) <(b) (6) McGavick, Gates (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6)

Cc: Christopher, Blake (OLP) <(b) (6) Kenlein, Katie (PAO) <(b) (6)
Subject: RE: 2265

Here's the final version. Katie can you prepare for release?

Department of Justice Proposes Rule to More Quickly Achieve Justice in State Death Penalty Cases

WASHINGTON – Attorney General Pamela Bondi today announced that the Justice Department has proposed a rule that will empower states to streamline federal habeas review of capital cases. These reforms will reduce by years the period between conviction and execution in state capital cases.

"This proposed rule will help states achieve the promise of swift and effective justice for victims of capital crimes," said Attorney General Pamela Bondi. "We are fulfilling the Department of Justice's commitment to restoring the death penalty as the ultimate punishment for the worst criminals in America."

In Chapter 154 of Title 28 of the United States Code, Congress established an accelerated process for the review of federal habeas petitions arising from State capital cases, which otherwise can languish for years at various stages of federal adjudication. The expedited process is available to states that the Attorney General has certified as having established a postconviction capital counsel process including the appointment, compensation, and payment of reasonable litigation expenses of competent counsel.

Since the law's enactment in 1996, and amendment in 2006, no state has taken advantage of these streamlined procedures—in large part due to the Department's imposition of additional and heightened barriers on certification. The proposed rule issued today, once finalized, will eliminate these obstacles to certification, enabling more prompt decision of States' requests for certification. It also will make certification decisions final as opposed to a five-year limited term—a reform that should encourage more states to apply for certification.

The proposed rule advances President Trump's January 20 executive order *Restoring the Death Penalty and Promoting Public Safety* and its mandate to ensure that the laws that authorize capital punishment are respected and faithfully implemented and Attorney General Bondi's promise in her February memorandum *Reviving the Federal Death Penalty and Lifting the Moratorium on Federal Executions* to assist States in prosecuting capital crimes and implementing death sentences.
The public is invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of this rule through the methods outlined in the Federal Register notice.

From: Gilmartin, Chad (PAO) <(b) (6)
Sent: Tuesday, March 17, 2026 12:23 PM
To: Hornbuckle, Wyn (PAO) <(b) (6) McGavick, Gates (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6)
Cc: Christopher, Blake (OLP) <(b) (6) Kenlein, Katie (PAO) <(b) (6)
Subject: Re: 2265

Approved AG quote below, thanks all!
"This proposed rule will help states achieve the promise of swift and effective justice for victims of capital crimes," said Attorney General Pamela Bondi. "We are fulfilling the Department of Justice's

commitment to restoring the death penalty as the ultimate punishment for the worst criminals in America."

Get Outlook for iOS

From: Hornbuckle, Wyn (PAO) <(b) (6)
Sent: Tuesday, March 17, 2026 10:06:01 AM
To: Gilmartin, Chad (PAO) <(b) (6) McGavick, Gates (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6)
Cc: Christopher, Blake (OLP) <(b) (6) Kenlein, Katie (PAO) <(b) (6)
Subject: RE: 2265

Awesome, thanks Chad

From: Gilmartin, Chad (PAO) <(b) (6)
Sent: Tuesday, March 17, 2026 10:05 AM
To: Hornbuckle, Wyn (PAO) <(b) (6) McGavick, Gates (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6)
Cc: Christopher, Blake (OLP) <(b) (6) Kenlein, Katie (PAO) <(b) (6)
Subject: Re: 2265

Thanks, Wyn! I just reupped the quote for approval and will keep this group posted.

Get Outlook for iOS

From: Hornbuckle, Wyn (PAO) <(b) (6)
Sent: Tuesday, March 17, 2026 9:57:08 AM
To: McGavick, Gates (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Christopher, Blake (OLP) <(b) (6) Kenlein, Katie (PAO) <(b) (6)
Subject: RE: 2265

Just circling back on this, any updates on an AG quote?

From: McGavick, Gates (PAO) <(b) (6)
Sent: Monday, March 16, 2026 4:20 PM
To: Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Hornbuckle, Wyn (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Christopher, Blake (OLP) <(b) (6) Kenlein, Katie (PAO) <(b) (6)
Subject: Re: 2265

Reupping with her again.

From: Perkins, Paul (ODAG) <(b) (6)
Sent: Monday, March 16, 2026 4:11:59 PM
To: McGavick, Gates (PAO) <(b) (6) Covington, Emily (PAO) <(b) (6) Hornbuckle, Wyn (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Christopher, Blake (OLP) <(b) (6) Kenlein, Katie (PAO) <(b) (6)
Subject: RE: 2265

Any update?

From: McGavick, Gates (PAO) <(b) (6)
Sent: Monday, March 16, 2026 12:35 PM
To: Covington, Emily (PAO) <(b) (6) Hornbuckle, Wyn (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Christopher, Blake (OLP) <(b) (6) Kenlein, Katie (PAO) <(b) (6)
Subject: Re: 2265

Yes, in approval with her.

From: Covington, Emily (PAO) <(b) (6)
Sent: Monday, March 16, 2026 12:31:14 PM
To: Hornbuckle, Wyn (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6) McGavick, Gates (PAO) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Christopher, Blake (OLP) <(b) (6) Kenlein, Katie (PAO) <(b) (6)
Subject: RE: 2265

Believe @McGavick, Gates (PAO) working on AG quote and tweet.

From: Hornbuckle, Wyn (PAO) <(b) (6)
Sent: Monday, March 16, 2026 9:56 AM
To: Perkins, Paul (ODAG) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Covington, Emily (PAO) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6) McGavick, Gates (PAO) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Christopher, Blake (OLP) <(b) (6) Kenlein, Katie (PAO) <(b) (6)
Subject: RE: 2265

We're ready to embargo and push the release our this morning if possible. Think we'll have an approved AG quote here sometime this morning? Added a second sentence below if needed. I'd like to get that into the embargo.

Department of Justice Proposes Rule to More Quickly Achieve Justice in State Death Penalty Cases

WASHINGTON – Attorney General Pamela Bondi today announced that the Justice Department has proposed a rule that will empower states to streamline federal habeas review of capital cases. These reforms will reduce by years the period between conviction and execution in state capital cases.

DRAFT quote: (b) (5) [redacted]

In Chapter 154 of Title 28 of the United States Code, Congress established an accelerated process for the review of federal habeas petitions arising from State capital cases, which otherwise can languish for years at various stages of federal adjudication. The expedited process is available to states that the Attorney General has certified as having established a postconviction capital counsel process including the appointment, compensation, and payment of reasonable litigation expenses of competent counsel.

Since the law's enactment in 1996, and amendment in 2006, no state has taken advantage of these streamlined procedures—in large part due to the Department's imposition of additional and heightened barriers on certification. The proposed rule issued today, once finalized, will eliminate these obstacles to certification, enabling more prompt decision of States' requests for certification. It also will make certification decisions final as opposed to a five-year limited term—a reform that should encourage more states to apply for certification.

The proposed rule advances President Trump's January 20 executive order *Restoring the Death Penalty and Promoting Public Safety* and its mandate to ensure that the laws that authorize capital punishment are respected and faithfully implemented and Attorney General Bondi's promise in her February memorandum *Reviving the Federal Death Penalty and Lifting the Moratorium on Federal Executions* to assist States in prosecuting capital crimes and implementing death sentences.
The public is invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of this rule through the methods outlined in the Federal Register notice.

From: Perkins, Paul (ODAG) <(b) (6) [redacted]
Sent: Friday, March 13, 2026 4:50 PM
To: Hornbuckle, Wyn (PAO) <(b) (6) [redacted] Canaparo, GianCarlo (OLP) <(b) (6) [redacted] Antell, Kira M. (OLP) <(b) (6) [redacted] Covington, Emily (PAO) <(b) (6) [redacted] Baldassarre, Natalie (PAO) <(b) (6) [redacted] Day, Sean C. (OAG) <(b) (6) [redacted] McGavick, Gates (PAO) <(b) (6) [redacted]
Cc: Gilmartin, Chad (PAO) <(b) (6) [redacted] Christopher, Blake (OLP) <(b) (6) [redacted]
Subject: RE: 2265

Agreed; let's plan to push out the PR on Monday morning.

From: Hornbuckle, Wyn (PAO) <(b) (6) [redacted]
Sent: Friday, March 13, 2026 4:46 PM
To: Perkins, Paul (ODAG) <(b) (6) [redacted] Canaparo, GianCarlo (OLP) <(b) (6) [redacted] Antell, Kira M. (OLP) <(b) (6) [redacted] Covington, Emily (PAO) <(b) (6) [redacted] Baldassarre, Natalie (PAO) <(b) (6) [redacted] Day, Sean C. (OAG) <(b) (6) [redacted] McGavick, Gates (PAO) <(b) (6) [redacted]
Cc: Gilmartin, Chad (PAO) <(b) (6) [redacted] Christopher, Blake (OLP) <(b) (6) [redacted]
Subject: RE: 2265

Bloomberg is tracking it but won't publish anything until Monday, and will take a statement from us beforehand. I'll also flag for the WSJ and others on embargo.

Would be great if we could get a leadership quote by Monday morning.

From: Perkins, Paul (ODAG) <(b) (6)
Sent: Friday, March 13, 2026 3:30 PM
To: Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6)
Hornbuckle, Wyn (PAO) <(b) (6) Covington, Emily (PAO) <(b) (6)
Baldassarre, Natalie (PAO) <(b) (6) Day, Sean C. (OAG) <(b) (6) McGavick,
Gates (PAO) <(b) (6)
Cc: Gilmartin, Chad (PAO) <(b) (6) Christopher, Blake (OLP) <(b) (6)
Subject: RE: 2265

Duplicative Materials

From: "Wallace, Michelle A. (PAO)" <(b) (6)
To: "Kenlein, Katie (PAO)" <(b) (6) "Hornbuckle, Wyn (PAO)" <(b) (6) "Gilmartin, Chad (PAO)" <(b) (6) "McGavick, Gates (PAO)" <(b) (6) "Perkins, Paul (ODAG)" <(b) (6) "Covington, Emily (PAO)" <(b) (6) "Canaparo, GianCarlo (OLP)" <(b) (6) "Antell, Kira M. (OLP)" <(b) (6) "Day, Sean C. (OAG)" <(b) (6) "Fitzgerald, Kristen (PAO)" <(b) (6)
Cc: "Christopher, Blake (OLP)" <(b) (6) "Baldassarre, Natalie (PAO)" <(b) (6)
Subject: RE: 2265
Date: Tue, 17 Mar 2026 13:03:26 -0400
Importance: Normal

Hi all,

Please see the draft below and let me know of any edits. Sending at 1:30 barring concerns.

seal - centered header for gov delivery

The United States Department of Justice

FOR IMMEDIATE RELEASE March 17, 2026
WWW.JUSTICE.GOV/NEWS

Department of Justice Proposes Rule to More Quickly Achieve Justice in State Death Penalty Cases

WASHINGTON Attorney General Pamela Bondi today announced that the Justice Department has proposed a rule that will empower states to streamline federal habeas review of capital cases. These reforms will reduce by years the period between conviction and execution in state capital cases.

"This proposed rule will help states achieve the promise of swift and effective justice for victims of capital crimes," said Attorney General Pamela Bondi. "We

are fulfilling the Department of Justice's commitment to restoring the death penalty as the ultimate punishment for the worst criminals in America."

In Chapter 154 of Title 28 of the United States Code, Congress established an accelerated process for the review of federal habeas petitions arising from State capital cases, which otherwise can languish for years at various stages of federal adjudication. The expedited process is available to states that the Attorney General has certified as having established a postconviction capital counsel process including the appointment, compensation, and payment of reasonable litigation expenses of competent counsel.

Since the law's enactment in 1996, and amendment in 2006, no state has taken advantage of these streamlined procedures—in large part due to the Department's imposition of additional and heightened barriers on certification. The proposed rule, once finalized, will eliminate these obstacles to certification, enabling more prompt decision of States' requests for certification. It also will make certification decisions final as opposed to a five-year limited term—a reform that should encourage more states to apply for certification.

The proposed rule advances President Trump's January 20 executive order *Restoring the Death Penalty and Promoting Public Safety* and its mandate to ensure that the laws that authorize capital punishment are respected and faithfully implemented and Attorney General Bondi's promise in her February memorandum *Reviving the Federal Death Penalty and Lifting the Moratorium on Federal Executions* to assist States in prosecuting capital crimes and implementing death sentences.

The public is invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of this rule through the methods outlined in the Federal Register notice.

###

OAG

26-261

Do not reply to this message. If you have questions, please use the contacts in the message or call the Office of Public Affairs at (b) (6)

From: Kenlein, Katie (PAO) <(b) (6)
Sent: Tuesday, March 17, 2026 1:00 PM
To: Hornbuckle, Wyn (PAO) <(b) (6) Gilmartin, Chad (PAO) <(b) (6) McGavick, Gates (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Day, Sean C. (OAG) <(b) (6) Wallace, Michelle A. (PAO) <(b) (6) Fitzgerald, Kristen (PAO) <(b) (6)
Cc: Christopher, Blake (OLP) <(b) (6) Baldassarre, Natalie (PAO)

<(b) (6)
Subject: RE: 2265

Duplicative Materials

From: "Wallace, Michelle A. (PAO)" <(b) (6)
To: "Kenlein, Katie (PAO)" <(b) (6) "Hornbuckle, Wyn (PAO)" <(b) (6) "Gilmartin, Chad (PAO)" <(b) (6) "McGavick, Gates (PAO)" <(b) (6) "Perkins, Paul (ODAG)" <(b) (6) "Covington, Emily (PAO)" <(b) (6) "Canaparo, GianCarlo (OLP)" <(b) (6) "Antell, Kira M. (OLP)" <(b) (6) "Day, Sean C. (OAG)" <(b) (6)
Cc: "Christopher, Blake (OLP)" <(b) (6) "Baldassarre, Natalie (PAO)" <(b) (6)
Subject: RE: 2265
Date: Tue, 17 Mar 2026 13:38:55 -0400
Importance: Normal

Live here: https://www.justice.gov/opa/pr/department-justice-proposes-rule-more-quickly-achieve-justice-state-death-penalty-cases

From: Kenlein, Katie (PAO) <(b) (6)
Sent: Tuesday, March 17, 2026 12:49 PM
To: Hornbuckle, Wyn (PAO) <(b) (6) Gilmartin, Chad (PAO) <(b) (6) McGavick, Gates (PAO) <(b) (6) Perkins, Paul (ODAG) <(b) (6) Covington, Emily (PAO) <(b) (6) Canaparo, GianCarlo (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Day, Sean C. (OAG) <(b) (6) Wallace, Michelle A. (PAO) <(b) (6)
Cc: Christopher, Blake (OLP) <(b) (6) Baldassarre, Natalie (PAO) <(b) (6)
Subject: RE: 2265

Duplicative Materials

From: Benjamin Lepak <(b) (6)
To: "Whitaker, Henry (OAG)" <(b) (6)
Cc: "Mizelle, Chad (OAG)" <(b) (6) Remington Dean <(b) (6) Audrey Weaver <(b) (6)
Subject: [EXTERNAL] RE: Death penalty certification
Date: Tue, 06 May 2025 16:36:57 -0400
Importance: Normal
Inline-Images: image001.jpg

Thank you, Henry. I am copying my deputies on this email who will quarterback this for us. Appreciate the follow up and you all meeting with us last week!
Ben

Benjamin M. Lepak
General Counsel | Office of Governor J. Kevin Stitt
Office: (405)(b) (6)
Cell: (405)(b) (6)
Email: (b) (6)
Address: 2300 N. Lincoln Blvd. | Oklahoma City, OK | 73105

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From: Whitaker, Henry (OAG) <(b) (6)
Sent: Tuesday, May 6, 2025 3:16 PM
To: Benjamin Lepak <(b) (6)
Cc: Mizelle, Chad (OAG) <(b) (6)
Subject: [EXTERNAL] Death penalty certification

Mr. Lepak:

As discussed at our meeting last week, here is some information regarding the process of applying for an AEDPA death-penalty certification:

- https://www.justice.gov/olp/certification-process
- https://www.justice.gov/olp/state-capital-counsel-mechanism-certification

Please let me know if and when you apply, and I am happy to make sure OLP gives it due attention.

Thanks very much, and please do not hesitate to reach out if you have any questions,

Henry

Henry Whitaker
Office of the Attorney General
(b) (6)

From: "Gormsen, Eric T (OLP)" <(b) (6)
To: "Di Giulio, Yasmine A. EOP/OMB" <(b) (6)
Cc: "DOJ Clearance Requests (OLP)" <(b) (6)
Subject: Notices of Request for Certification of Tennessee & Alabama Capital Counsel Mechanisms
Date: Wed, 06 Aug 2025 09:49:08 -0400
Importance: Normal
Attachments: 2025-15037.pdf; 2025-15035.pdf

August 6, 2025
TO OMB:
For your information, the Department of Justice has submitted the following notices to the Federal Register for publication. These attached notices are scheduled to be published on August 7, 2025. This action is being taken in accordance with Executive Order 14164, Restoring the Death Penalty and Protecting Public Safety.

1. *Notice of Request for Certification of Tennessee Capital Counsel Mechanism* (OLP180). This notice advises the public that the State of Tennessee has requested certification of its capital counsel mechanism by the Attorney General and that public comments may be submitted to the Department of Justice regarding Tennessee's request.
2. *Notice of Request for Certification of Alabama Capital Counsel Mechanism* (OLP181). This notice advises the public that the State of Alabama has requested certification of its capital counsel mechanism by the Attorney General and that public comments may be submitted to the Department of Justice regarding Alabama's request.

Thanks,
Eric

Signed ...
--- Eric Taylor Gormsen ---
Office of Legal Policy
Department of Justice
(b) (6)
Fax: (b) (6)

From: "Kass, Alida (OLP)" <(b) (6)
To: "Haviland, Aaron (OLP)" <(b) (6)
Subject: FW: Oklahoma's Post-Conviction Counsel Certification Application
Date: Mon, 23 Mar 2026 16:35:18 -0400
Importance: Normal
Attachments: Letter_OK_Application-Exhibits_RE_Capital_Cases_02.25.2026.pdf

---

Hi Aaron, see attached.

From: Jennifer Crabb <(b) (6)
Sent: Monday, March 9, 2026 12:19 PM
To: Kass, Alida (OLP) <(b) (6)
Subject: [EXTERNAL] Oklahoma's Post-Conviction Counsel Certification Application

Thank you so much.

Jennifer

Jennifer Crabb
Supervisory Assistant Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
(b) (6) (direct)

From: Kathy Hubbart <(b) (6)
To: (b)(6) - Alida Kass Email Address
Cc: Gentner Drummond <(b) (6)
Subject: [EXTERNAL] Correspondence
Date: Wed, 25 Feb 2026 14:43:16 -0500
Importance: Normal
Attachments: Letter_OK_Application-Exhibits-Capital_Cases_02.25.2026.pdf

---

Ms. Kass:

Please see the attached correspondence from Oklahoma Attorney General Gentner Drummond.

Sincerely,

Kathy Hubbart
Executive Assistant
Oklahoma Office of the Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
(b) (6)
(b) (6)

From: Kathy Hubbart <(b) (6)
To: (b)(6) - Alida Kass Email Address
Cc: Gentner Drummond <(b) (6)
Subject: [EXTERNAL] Correspondence
Date: Wed, 25 Feb 2026 16:08:19 -0500
Importance: Normal
Attachments: Letter_OK_Application-Exhibits_RE_Capital_Cases_02.25.2026.pdf

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Ms. Kass,

Please see the attached revised correspondence from Oklahoma Attorney General Gentner Drummond to replace the previous correspondence sent prematurely today at 1:43 PM Central Time. Please accept this attached version which has been slightly revised.

My most sincere apologies for any confusion or inconvenience this may have caused.

Sincerely,

Kathy Hubbart
Executive Assistant
Oklahoma Office of the Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
(b) (6)
(b) (6)

From: Jeffrey DeSousa <(b) (6)
To: (b)(6) - Nicholas Schilling Email Address (b)(6) - Paul Perkins Email Address
Cc: Marilyn Muir <(b) (6) Scott Browne
<(b) (6) Nathan Forrester
<(b) (6) Jeremy Redfern
<(b) (6) David Dewhirst
<(b) (6)
Subject: [EXTERNAL] Florida Application for Section 2265 Certification
Date: Tue, 16 Dec 2025 16:35:17 -0500
Importance: Normal
Attachments: Florida_Section_2265_Certification_Letter_12.16.25.pdf
Inline-Images: Outlook-A_picture_.png

Good afternoon,

Please find attached the State of Florida's application for certification by the Attorney General under 28 U.S.C. 2265. We welcome any questions the Department may have about Florida's system for the appointment of counsel in capital postconviction cases.

Thank you for your consideration, and happy holidays!

Jeffrey DeSousa

Acting Solicitor General

Office of Attorney General James Uthmeier

(b) (6)

From: "Schilling, Nicholas (OLP)" <(b) (6)
To: "Chestnut, Brendan T. (OLP)" <(b) (6)
Cc: "Loigman, Joshua (OLP)" <(b) (6)
Subject: RE: Florida Application for Section 2265 Certification
Date: Fri, 16 Jan 2026 14:48:42 -0500
Importance: Normal
Inline-Images: image001.png

For more context, I've recommended to ODAG that (b) (5)

From: Schilling, Nicholas (OLP)
Sent: Friday, January 16, 2026 12:24 PM
To: Chestnut, Brendan T. (OLP) <(b) (6)
Cc: Loigman, Joshua (OLP) <(b) (6)
Subject: FW: Florida Application for Section 2265 Certification

Florida's request is in SharePoint

From: Jeffrey DeSousa <(b) (6)
Sent: Tuesday, December 16, 2025 4:35 PM
To: Schilling, Nicholas (OLP) <(b) (6) Perkins, Paul (ODAG) <(b) (6)
Cc: Marilyn Muir <(b) (6) Scott Browne <(b) (6) Nathan Forrester <(b) (6) Jeremy Redfern <(b) (6) David Dewhirst <(b) (6)
Subject: [EXTERNAL] Florida Application for Section 2265 Certification

Duplicative Materials

From: "Perkins, Paul (ODAG)" <(b) (6)
To: "Schilling, Nicholas (OLP)" <(b) (6)
Subject: FW: Ohio's Request for Certification under 28 U.S.C. §2265
Date: Thu, 06 Nov 2025 15:20:51 -0500
Importance: Normal
Attachments: Fast_Track_Application_Letter.pdf
Inline-Images: image001.png

From: Michael Rodgers <(b) (6)
Sent: Thursday, November 6, 2025 3:13 PM
To: Kass, Alida (OLP) <(b) (6) Perkins, Paul (ODAG) <(b) (6)
Cc: Mathura Sridharan <(b) (6)
Subject: [EXTERNAL] Ohio's Request for Certification under 28 U.S.C. §2265

Alida,

Please find attached Ohio's application letter for the certification of its mechanism for appointing, compensating, and paying expenses for, competent counsel in capital collateral-review proceedings. I understand Paul recently discussed this matter with the AG, so I am sending a copy of this correspondence to him as well.

I am copying Ohio Solicitor General Mathura Sridharan in case you have any questions.

Sincerely,
Mike

Michael L. Rodgers
Chief of Staff
Ohio Attorney General Dave Yost
Mobile (b) (6)
Office (b) (6)
(b) (6)

From: "Schilling, Nicholas (OLP)" <(b) (6)
To: "Perkins, Paul (ODAG)" <(b) (6)
Subject: RE: Ohio's Request for Certification under 28 U.S.C. §2265
Date: Thu, 06 Nov 2025 15:30:30 -0500
Importance: Normal
Inline-Images: image001.png

Thank you very much

From: Perkins, Paul (ODAG) <(b) (6)
Sent: Thursday, November 6, 2025 3:21 PM
To: Schilling, Nicholas (OLP) <(b) (6)
Subject: FW: Ohio's Request for Certification under 28 U.S.C. §2265

From: Michael Rodgers <(b) (6)
Sent: Thursday, November 6, 2025 3:13 PM
To: Kass, Alida (OLP) <(b) (6) Perkins, Paul (ODAG) <(b) (6)
Cc: Mathura Sridharan <(b) (6)
Subject: [EXTERNAL] Ohio's Request for Certification under 28 U.S.C. §2265

Duplicative Materials

To: "Michelle Williams" <(b) (6)
Cc: "Perkins, Paul (ODAG)" <(b) (6) "Ashley Sulser" <(b) (6)
Subject: RE: Section 2265 certification
Date: Mon, 06 Oct 2025 08:54:59 -0400
Importance: Normal

Good morning, Michelle,

Confirming receipt of

From: Michelle Williams <(b) (6)
Sent: Monday, October 6, 2025 6:55 AM
To: Schilling, Nicholas (OLP) <(b) (6)
Cc: Perkins, Paul (ODAG) <(b) (6) Ashley Sulser <(b) (6)
Subject: [EXTERNAL] Section 2265 certification

Good morning, Nicholas and Paul.

Please find attached Attorney General Fitch's request for habeas certification under Chapter 154 of Title 28 of the United States Code. A hard copy will be mailed today, and if there are any other OLP or other DOJ officials that should receive a copy, please let me know.

Should you have any additional questions, please feel free to contact me. I have also copied Ashley Sulser, Director of the Criminal Appeals Division at the Mississippi Attorney General's Office.

Thank you,
Michelle Williams
Chief of Staff
Office of Attorney General Lynn Fitch

From: "Schilling, Nicholas (OLP)" <(b) (6)
To: "Michelle Williams" <(b) (6)
Cc: "Perkins, Paul (ODAG)" <(b) (6) "Ashley Sulser" <(b) (6)
Subject: RE: Section 2265 certification
Date: Mon, 06 Oct 2025 08:56:13 -0400
Importance: Normal

Good morning, Michelle,

Confirming receipt of Mississippi's request for certification.

Nicholas Schilling Jr.
U.S. Department of Justice
Office of Legal Policy
Supervisory Official
Cell: (202)(b) (6)

From: Michelle Williams <(b) (6)
Sent: Monday, October 6, 2025 6:55 AM
To: Schilling, Nicholas (OLP) <(b) (6)
Cc: Perkins, Paul (ODAG) <(b) (6) Ashley Sulser <(b) (6)
Subject: [EXTERNAL] Section 2265 certification

Duplicative Materials

From: Michelle Williams <(b) (6)
To: "Perkins, Paul (ODAG)" <(b) (6) "Schilling, Nicholas (OLP)" <(b) (6)
Cc: Ashley Sulser <(b) (6)
Subject: [EXTERNAL] RE: Section 2265 certification
Date: Tue, 09 Dec 2025 00:55:55 -0500
Importance: Normal

I'd be happy to. I am actually in DC. I have a call at 9 am Eastern, but my meetings don't begin until 10 am Eastern (and they end by 11:30 am Eastern), so name your time!

From: Perkins, Paul (ODAG) <(b) (6)
Sent: Monday, December 8, 2025 7:59 PM
To: Michelle Williams <(b) (6) Schilling, Nicholas (OLP) <(b) (6)
Cc: Ashley Sulser <(b) (6)
Subject: RE: Section 2265 certification

Hi Michelle. Do you have a few minutes to talk tomorrow?

Paul

From: Michelle Williams <(b) (6)
Sent: Monday, December 8, 2025 7:51 AM
To: Schilling, Nicholas (OLP) <(b) (6)
Cc: Perkins, Paul (ODAG) <(b) (6) Ashley Sulser <(b) (6)
Subject: [EXTERNAL] RE: Section 2265 certification

Good morning, Nicholas and Paul. I just wanted to check in on the status of our request for habeas certification. If you need anything more from us, we're happy to provide it.

Thank you,
Michelle Williams
Chief of Staff
Office of Attorney General Lynn Fitch

From: Michelle Williams
Sent: Monday, October 6, 2025 5:55 AM
To: (b) (6)
Cc: Perkins, Paul (ODAG) <(b) (6) Ashley Sulser <(b) (6)
Subject: Section 2265 certification

Duplicative Materials

From: "Lall, Levi (OLP)" <(b) (6)
To: "Schilling, Nicholas (OLP)" <(b) (6)
Subject: FW: Docket No. OLP181 - Request for Comment Period Extension
Date: Tue, 30 Sep 2025 17:46:30 -0400
Importance: Normal
Attachments: Docket_No._OLP181_-_Comment_Period_Extension_Request.pdf; Draft_OLP_reply_to_Alabama_joint_letter_9.30.25.doc; OLP_reply_to_Alabama_joint_letter_9.30.25.pdf
Inline-Images: image003.jpg; image001.jpg

Below is the email with an electronic version of the Alabama letter. I've also attached a word version response (had to slightly mess with the margins to fit onto two pages) and PDF version.

From: Davidson, Glenn <(b) (6)
Sent: Friday, September 26, 2025 3:54 PM
To: Lall, Levi (OLP) <(b) (6)
Cc: Powell, Arthur <(b) (6) Cameron, Ashley <(b) (6)
Subject: [EXTERNAL] Docket No. OLP181 - Request for Comment Period Extension

Dear Mr. Lall,

Attached please find a request a ninety-day extension of time in which to submit public comments in response to the Alabama Attorney General's request that the Department of Justice certify the Alabama postconviction procedure as qualified under Chapter 154 of the Anti-Terrorism and Effective Death Penalty Act ("AEDPA"). Comments are currently due by October 6, 2025.

Thank you,
Glenn L. Davidson,
On behalf of Arthur Powell, Director

Glenn L. Davidson, Chief Deputy
Mobile County Public Defender's Office
151 Government Street, 4th Floor
Mobile, Alabama 36602
(b) (6)
(b) (6)

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From: "Schilling, Nicholas (OLP)" <(b) (6)
To: "(b) (6) <(b) (6)
"(b) (6) <(b) (6)
"(b) (6) <(b) (6)
Cc: "Lall, Levi (OLP)" <(b) (6)
Subject: RE: Docket No. OLP181 - Request for Comment Period Extension
Date: Wed, 01 Oct 2025 13:25:58 -0400
Importance: Normal
Attachments: OLP_reply_to_Alabama_joint_letter_9.30.25.pdf
Inline-Images: image001.jpg; image002.jpg

Mr. Davidson,

Attached please find the Office of Legal Policy's response to your letter dated September 26, 2025. Kindly, please confirm receipt.

Best,
Nicholas Schilling
Supervisory Official, Office of Legal Policy

From: Davidson, Glenn <(b) (6)
Sent: Friday, September 26, 2025 3:54 PM
To: Lall, Levi (OLP) <(b) (6)
Cc: Powell, Arthur <(b) (6) Cameron, Ashley <(b) (6)
Subject: [EXTERNAL] Docket No. OLP181 - Request for Comment Period Extension

Duplicative Materials

From: "Schilling, Nicholas (OLP)" <(b) (6)
To: "Perkins, Paul (ODAG)" <(b) (6)
Subject: RE: Section 2265 certification
Date: Fri, 08 Aug 2025 09:02:24 -0400
Importance: Normal

Yes, that would be fine. Thanks!

From: Perkins, Paul (ODAG) <(b) (6)
Sent: Friday, August 8, 2025 9:01 AM
To: Schilling, Nicholas (OLP) <(b) (6)
Subject: FW: Section 2265 certification

Can I connect you with Michelle?

From: Michelle Williams <(b) (6)
Sent: Thursday, August 7, 2025 10:16 PM
To: Perkins, Paul (ODAG) <(b) (6)
Subject: [EXTERNAL] Section 2265 certification

Hey, Paul, I have a question about the process for getting certification of our death penalty legal mechanism and I'm wondering if you can point me to the right person to talk to?

Thanks
Michelle Williams
Chief of Staff
Office of Attorney General Lynn Fitch

From: "Schilling, Nicholas (OLP)" <(b) (6)
To: "Michelle Williams" <(b) (6)
Subject: RE: Section 2265 certification
Date: Fri, 15 Aug 2025 08:38:23 -0400
Importance: Normal

Michelle, feel free to call me when you are available. (b) (6)

From: Michelle Williams <(b) (6)
Sent: Thursday, August 14, 2025 6:18 PM
To: Schilling, Nicholas (OLP) <(b) (6)
Subject: [EXTERNAL] RE: Section 2265 certification

So sorry I missed your email! I would like to follow up with you. Can you do in the morning? Like 8 or 9 am Eastern?

From: Schilling, Nicholas (OLP) <(b) (6)
Sent: Thursday, August 14, 2025 4:03 PM
To: Michelle Williams <(b) (6)
Subject: RE: Section 2265 certification

Good evening, Michelle,

I wanted to follow up to see whether you'd still like to connect. I am available most of the day tomorrow but then have limited availability next week.

Thanks!
Nicholas

From: Schilling, Nicholas (OLP)
Sent: Friday, August 8, 2025 9:16 AM
To: Michelle Williams <(b) (6)
Subject: RE: Section 2265 certification

Thanks, Paul. Moving you to BCC to save your inbox.

Good morning, Michelle, I would be happy to address your questions about the process. Please let me know a time today or next week that you would like to connect.

Best,

Nicholas Schilling Jr.
U.S. Department of Justice
Office of Legal Policy
Supervisory Official
Cell: (b) (6)

From: Perkins, Paul (ODAG) <(b) (6)
Sent: Friday, August 8, 2025 9:04 AM
To: Michelle Williams <(b) (6)
Cc: Schilling, Nicholas (OLP) <(b) (6)
Subject: RE: Section 2265 certification

Hi Michelle. I am connecting you with Nicholas Schilling, the head of the Office of Legal Policy. He can point you in the right direction.

Thanks,
Paul

From: Michelle Williams <(b) (6)
Sent: Thursday, August 7, 2025 10:16 PM
To: Perkins, Paul (ODAG) <(b) (6)
Subject: [EXTERNAL] Section 2265 certification

Duplicative Materials

From: "Reitz, Aaron (OLP)" <(b) (6)
To: "Matt Rice" <(b) (6) "Kass, Alida (OLP)" <(b) (6)
Cc: "Rachel Kemp" <(b) (6) "Gormsen, Eric T (OLP)" <(b) (6) "Schilling, Nicholas (OLP)" <(b) (6)
Subject: RE: Tennessee - Request for Certification under 28 U.S.C. § 2265
Date: Tue, 10 Jun 2025 14:53:59 -0400
Importance: Normal
Inline-Images: image001.jpg

Thanks Matt. We'll handle.

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Matt Rice <(b) (6)
Sent: Friday, June 6, 2025 3:39 PM
To: Kass, Alida (OLP) <(b) (6)
Cc: Reitz, Aaron (OLP) <(b) (6) Rachel Kemp <(b) (6)
Subject: [EXTERNAL] Tennessee - Request for Certification under 28 U.S.C. § 2265

Alida:

I've attached Tennessee's request for expedited habeas review procedures under 28 U.S.C. 2265. We would be happy to provide any additional information required.

Please confirm receipt.

--Matt

Matthew Rice | Solicitor General of Tennessee
Office of Tennessee Attorney General
(b) (6)
(b) (6)

MAKING THE CASE FOR TENNESSEE
TENNESSEE ATTORNEY GENERAL

From: "Kass, Alida (OLP)" <(b) (6)
To: "Matt Rice" <(b) (6)
Cc: "Rachel Kemp" <(b) (6) "Gormsen, Eric T (OLP)" <(b) (6) "Schilling, Nicholas (OLP)" <(b) (6)
Subject: RE: Tennessee - Request for Certification under 28 U.S.C. § 2265
Date: Tue, 08 Jul 2025 08:34:17 -0400
Importance: Normal
Inline-Images: image001.jpg

Thanks. Nothing so far but will let you know.

From: Matt Rice <(b) (6)
Sent: Tuesday, July 8, 2025 7:09 AM
To: Kass, Alida (OLP) <(b) (6)
Cc: Rachel Kemp <(b) (6) Gormsen, Eric T (OLP) <(b) (6) Schilling, Nicholas (OLP) <(b) (6)
Subject: [EXTERNAL] RE: Tennessee - Request for Certification under 28 U.S.C. § 2265

Hi Alida:

I hope you are having a great week. Just wanted to follow up to make sure you didn't need any additional information regarding our request for certification. Thank you for all of your assistance!

--Matt

From: Kass, Alida (OLP) <(b) (6)
Sent: Tuesday, June 10, 2025 1:57 PM
To: Matt Rice <(b) (6)
Cc: Reitz, Aaron (OLP) <(b) (6) Rachel Kemp <(b) (6)
Subject: RE: Tennessee - Request for Certification under 28 U.S.C. § 2265

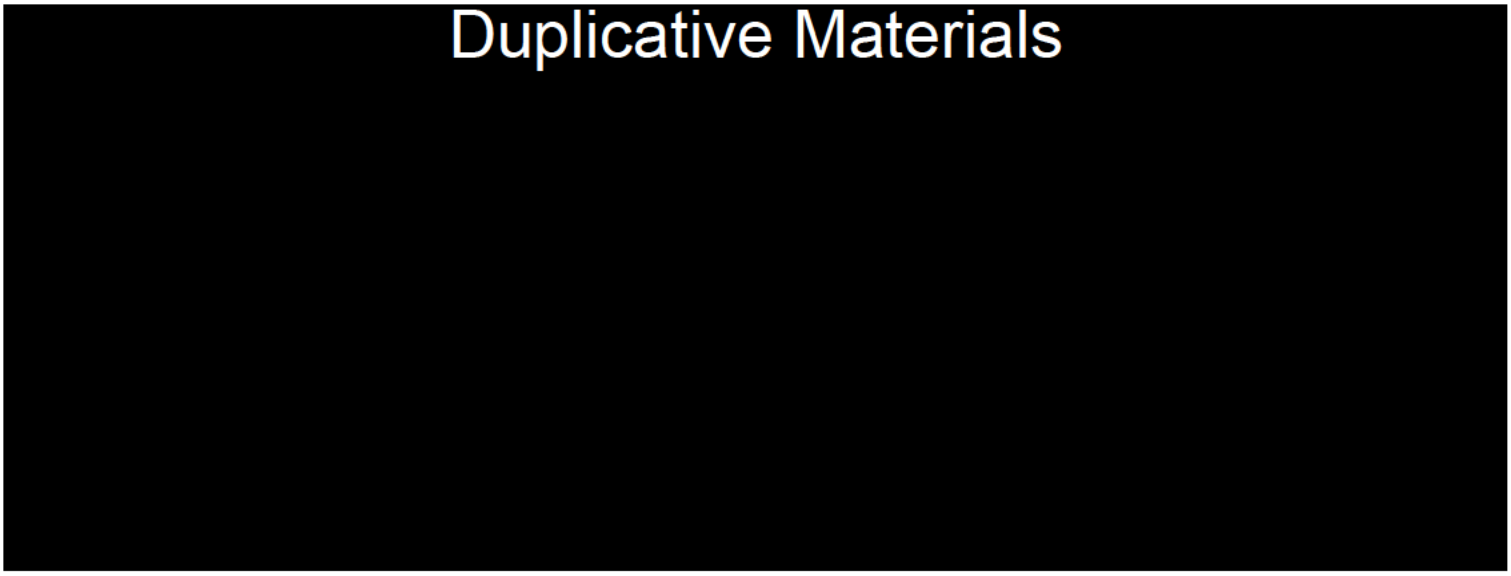
Matt,

Thanks very much. We are reviewing and be in touch shortly with next steps.

Best,
Alida Kass

From: Matt Rice <(b) (6)
Sent: Friday, June 6, 2025 3:39 PM
To: Kass, Alida (OLP) <(b) (6)
Cc: Reitz, Aaron (OLP) <(b) (6) Rachel Kemp <(b) (6)
Subject: [EXTERNAL] Tennessee - Request for Certification under 28 U.S.C. § 2265

Duplicative Materials


Duplicative Materials

From: "Reitz, Aaron (OLP)" <(b) (6)
To: "Reitz, Aaron (OLP)" <(b) (6)
Cc: "Kass, Alida (OLP)" <(b) (6)
Bcc: "(b) (6) <(b) (6)
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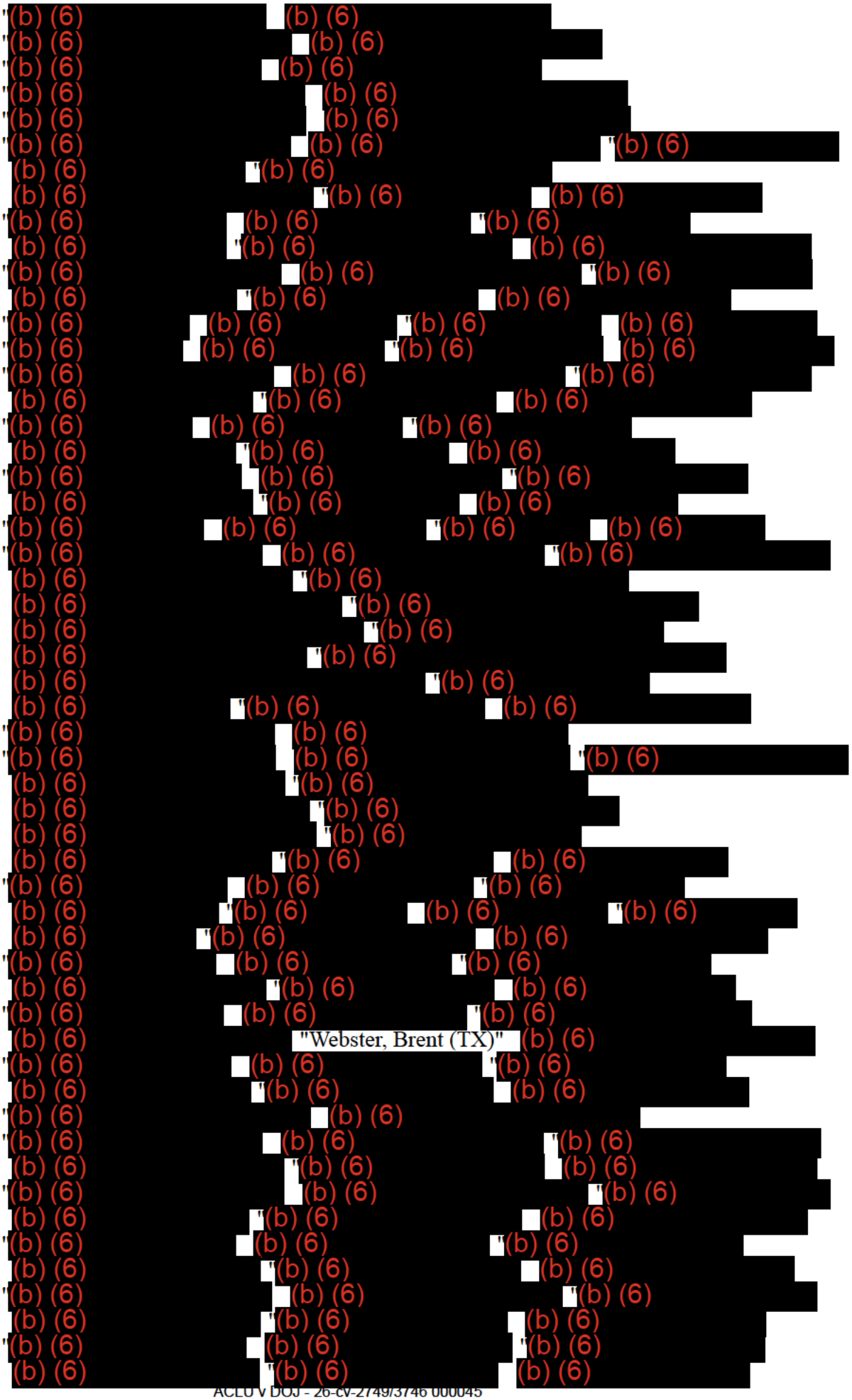

"Webster, Brent (TX)"

"(b) (6) (b) (6) "(b) (6) (b) (6) "(b) (6) (b) (6)
"Schilling, Nicholas (OLP)" (b) (6) "Karp, David J (OLP)" (b) (6)

Subject: DOJ Assistance in Requesting Expedited Habeas Review Procedures
Date: Thu, 15 May 2025 18:09:00 -0400
Importance: Normal
Attachments: OLP Letter to State AGs re. Habeas Certification.pdf

---

State AG Offices:

Please see attached correspondence regarding your state's possible eligibility to seek certification from DOJ for expedited habeas review procedures.

Best,

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: "Reitz, Aaron (OLP)" <(b) (6)
To: "Jag, Rachel (ODAG)" <(b) (6) "Fox, Jordan (ODAG)" <(b) (6) "Nieves, Brian (ODAG)" <(b) (6)
Cc: "Day, Sean C. (OAG)" <(b) (6)
Subject: FW: DOJ Assistance in Requesting Expedited Habeas Review Procedures
Date: Thu, 15 May 2025 18:09:54 -0400
Importance: Normal
Attachments: OLP_Letter_to_State_AGs_re._Habeas_Certification.pdf

---

Below and attached just launched per our meeting yesterday.

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Thursday, May 15, 2025 6:09 PM
To: Reitz, Aaron (OLP) <(b) (6)
Cc: Kass, Alida (OLP) <(b) (6)
Subject: DOJ Assistance in Requesting Expedited Habeas Review Procedures

State AG Offices:

Please see attached correspondence regarding your state's possible eligibility to seek certification from DOJ for expedited habeas review procedures.

Best,

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Jonathan Blanton <(b) (6)
To: "Reitz, Aaron (OLP)" <(b) (6)
Subject: [EXTERNAL] Re: DOJ Assistance in Requesting Expedited Habeas Review Procedures
Date: Thu, 15 May 2025 18:15:54 -0400
Importance: Normal

Thank you, Aaron. I will make sure the right people in our office see this.

JB

Get Outlook for iOS

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Thursday, May 15, 2025 6:09:00 PM
To: Reitz, Aaron (OLP) <(b) (6)
Cc: Kass, Alida (OLP) <(b) (6)
Subject: DOJ Assistance in Requesting Expedited Habeas Review Procedures

You don't often get email from (b) (6) Learn why this is important

Duplicative Materials

From: "Kass, Alida (OLP)" <(b) (6)
To: "Erin Schechter" <(b) (6)
Subject: RE: DOJ Assistance in Requesting Expedited Habeas Review Procedures
Date: Fri, 16 May 2025 08:50:55 -0400
Importance: Normal
Inline-Images: image001.png; image002.png; image003.png; image004.png; image005.png

---

No, that's not necessary but thanks so much for your help!

From: Erin Schechter <(b) (6)
Sent: Thursday, May 15, 2025 6:56 PM
Cc: Kass, Alida (OLP) <(b) (6)
Subject: [EXTERNAL] Re: DOJ Assistance in Requesting Expedited Habeas Review Procedures

Alida - Is this something you want us to forward to our members? I am not sure who received it already.

Thanks
Erin
Get Outlook for iOS

NATIONAL ASSOCIATION OF ATTORNEYS GENERAL
Erin Schechter
Chief, Events, Member Services & Special Projects
(b) (6)
(b) (6)
National Association of Attorneys General
1850 M Street NW, 12th Floor
Washington, DC 20036
www.naag.org

REGISTER AND SAVE!: **Presidential Initiative Summit**, Aug. 5-6, Portsmouth, N.H.

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Thursday, May 15, 2025 6:33 PM
To: Reitz, Aaron (OLP) <(b) (6)
Cc: Kass, Alida (OLP) <(b) (6)
Subject: DOJ Assistance in Requesting Expedited Habeas Review Procedures

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

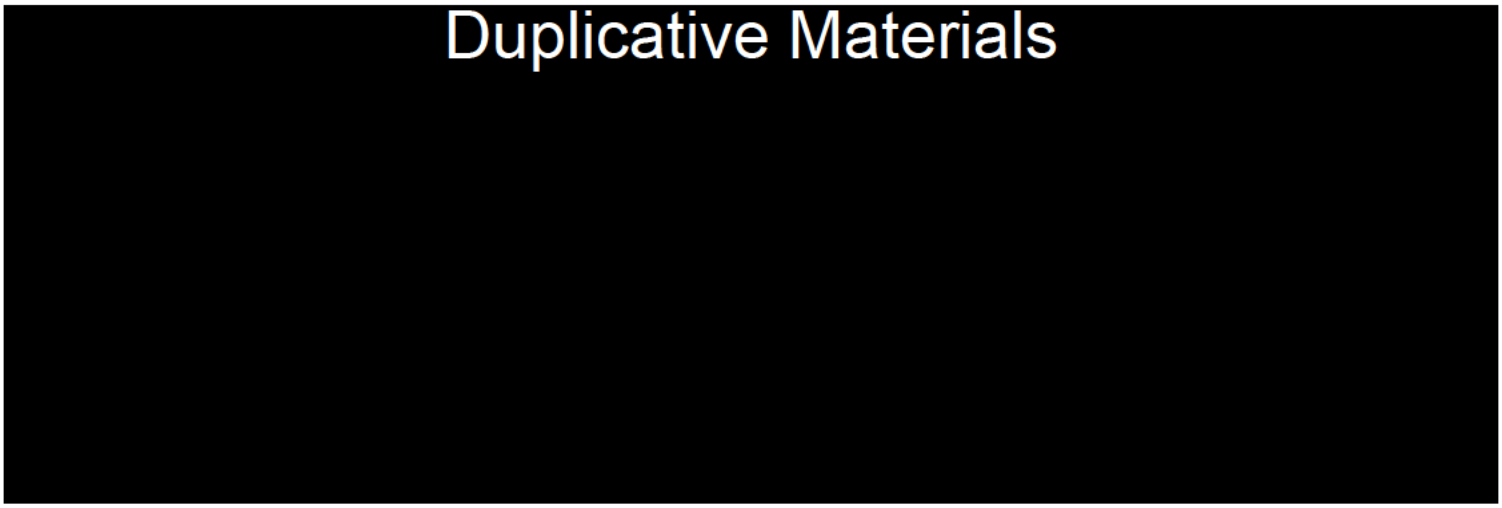
Duplicative Materials

From: "Kass, Alida (OLP)" <(b) (6)
To: "Lall, Levi (OLP)" <(b) (6)
Subject: FW: DOJ Assistance in Requesting Expedited Habeas Review Procedures
Date: Mon, 30 Jun 2025 11:34:28 -0400
Importance: Normal
Attachments: OLP_Letter_to_State_AGs_re._Habeas_Certification.pdf

---

FYI.

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Thursday, May 15, 2025 6:09 PM
To: Reitz, Aaron (OLP) <(b) (6)
Cc: Kass, Alida (OLP) <(b) (6)
Subject: DOJ Assistance in Requesting Expedited Habeas Review Procedures



From: "Lall, Levi (OLP)" <(b) (6)
To: "Kass, Alida (OLP)" <(b) (6)
Subject: RE: DOJ Assistance in Requesting Expedited Habeas Review Procedures
Date: Mon, 30 Jun 2025 15:15:05 -0400
Importance: Normal
Attachments: Draft_Letter_to_Mr._Watkins_-_Lall.docx

Alida,

Attaching a draft response to Mr. Watkins ((b) (5)).

Best,
Levi

From: Kass, Alida (OLP) <(b) (6)
Sent: Monday, June 30, 2025 11:34 AM
To: Lall, Levi (OLP) <(b) (6)
Subject: FW: DOJ Assistance in Requesting Expedited Habeas Review Procedures

FYI.

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Thursday, May 15, 2025 6:09 PM
To: Reitz, Aaron (OLP) <(b) (6)
Cc: Kass, Alida (OLP) <(b) (6)
Subject: DOJ Assistance in Requesting Expedited Habeas Review Procedures

Duplicative Materials

From: Benjamin Lepak <(b) (6)
To: "Whitaker, Henry (OAG)" <(b) (6)
Cc: "Mizelle, Chad (OAG)" <(b) (6) Remington Dean <(b) (6) Audrey Weaver <(b) (6)
Subject: [EXTERNAL] RE: Death penalty certification
Date: Tue, 06 May 2025 16:36:57 -0400
Importance: Normal
Inline-Images: image001.jpg

Thank you, Henry. I am copying my deputies on this email who will quarterback this for us. Appreciate the follow up and you all meeting with us last week!
Ben

Benjamin M. Lepak
General Counsel | Office of Governor J. Kevin Stitt
Office: (405)(b) (6)
Cell: (405)(b) (6)
Email: (b) (6)
Address: 2300 N. Lincoln Blvd. | Oklahoma City, OK | 73105

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From: Whitaker, Henry (OAG) <(b) (6)
Sent: Tuesday, May 6, 2025 3:16 PM
To: Benjamin Lepak <(b) (6)
Cc: Mizelle, Chad (OAG) <(b) (6)
Subject: [EXTERNAL] Death penalty certification

Mr. Lepak:

As discussed at our meeting last week, here is some information regarding the process of applying for an AEDPA death-penalty certification:

- https://www.justice.gov/olp/certification-process
- https://www.justice.gov/olp/state-capital-counsel-mechanism-certification

Please let me know if and when you apply, and I am happy to make sure OLP gives it due attention.

Thanks very much, and please do not hesitate to reach out if you have any questions,

Henry

Henry Whitaker
Office of the Attorney General
(b) (6)

From: "LaCour, Edmund" <(b) (6)
To: (b)(6) - Alaron Reitz Email Address
Cc: "Overing, Bob" <(b) (6)
Subject: [EXTERNAL] Correspondence from Alabama Attorney General Steve Marshall re: AEDPA
Date: Thu, 24 Apr 2025 17:46:39 -0400
Importance: Normal
Attachments: 2025.04.24_AG_Marshall_Ltr_to_AG_Bondi.pdf

Dear Assistant Attorney General Reitz,

Please find attached a copy of correspondence from Alabama Attorney General Steve Marshall to Attorney General Bondi, requesting certification for special habeas corpus procedures in capital cases under Chapter 154 of Title 28 of the United States Code. We are mailing Attorney General Bondi a copy of these materials today. Please let us know if you have any questions as you consider Alabama's request. Thank you for your time and consideration.

Best,
Eddie

Edmund LaCour
Solicitor General
Office of Alabama Attorney General Steve Marshall
(b) (6)

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From: "Schilling, Nicholas (OLP)" <(b) (6)
To: "Reitz, Aaron (OLP)" <(b) (6)
Subject: RE: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA
Date: Mon, 28 Apr 2025 12:11:43 -0400
Importance: Normal

(b) (5), (b) (6)

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Monday, April 28, 2025 12:09 PM
To: Schilling, Nicholas (OLP) <(b) (6)
Subject: RE: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

I'm about to send this to Chad, but who else in our shop should be cc'd so they can get to work on this?

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Schilling, Nicholas (OLP) <(b) (6)
Sent: Friday, April 25, 2025 11:59 AM
To: Reitz, Aaron (OLP) <(b) (6)
Subject: RE: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

Referenced AG memo attached for your convenience. Last sentence of the memo addresses these types of requests. I read the letter and attached memo as the entirety of Alabama's submission, so I think we have what we need to start the process.

DRAFT Email

(b) (5)

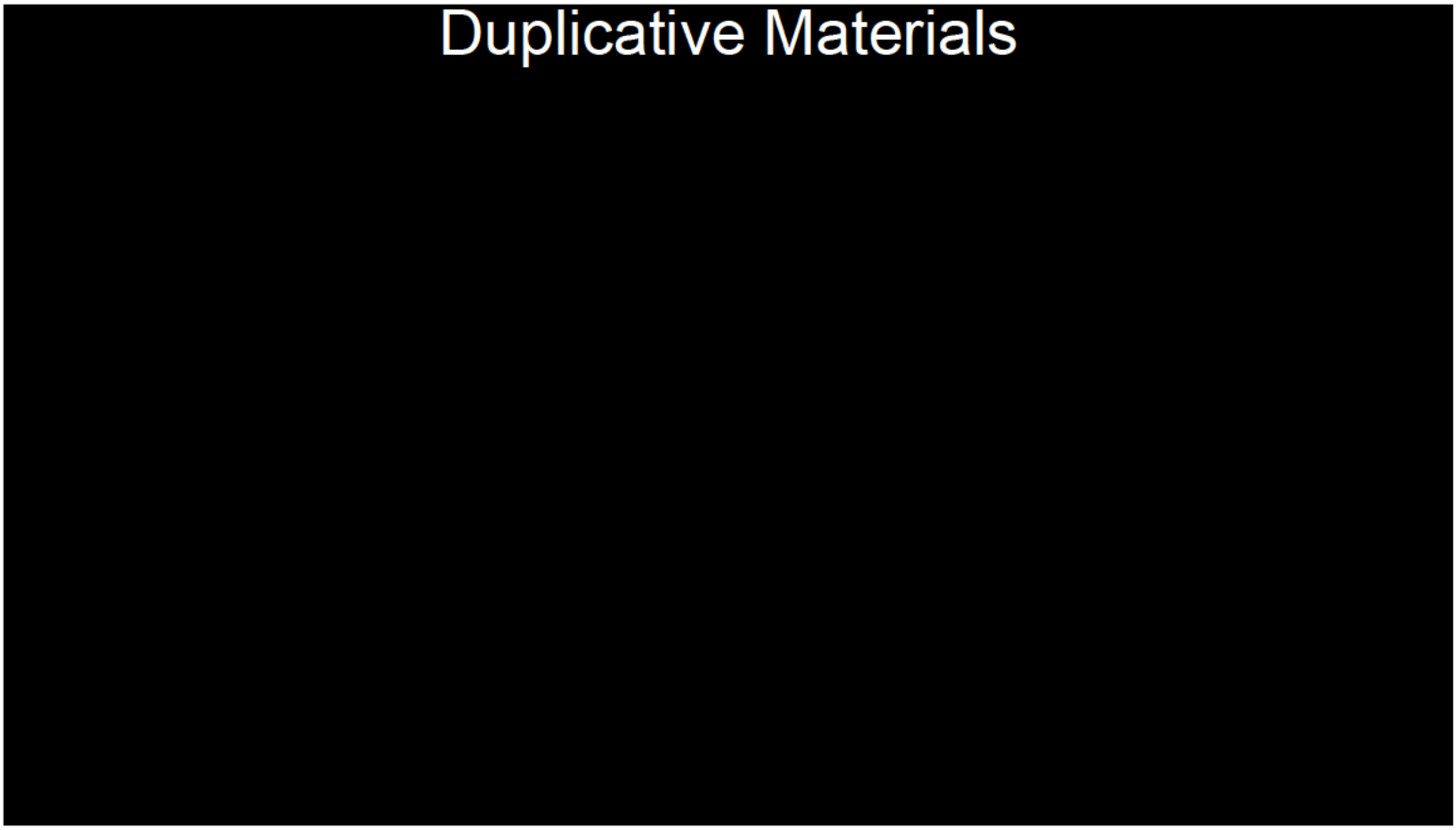
Thank you,

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Friday, April 25, 2025 11:20 AM
To: Schilling, Nicholas (OLP) <(b) (6)
Subject: FW: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

I'm going to send this up to OAG, but want to loop in any additional appropriate components. Who would normally handle this?

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: LaCour, Edmund <(b) (6)
Sent: Thursday, April 24, 2025 5:47 PM
To: Reitz, Aaron (OLP) <(b) (6)
Cc: Overing, Bob <(b) (6)
Subject: [EXTERNAL] Correspondence from Alabama Attorney General Steve Marshall re: AEDPA



From: "Reitz, Aaron (OLP)" <(b) (6)
To: "Mizelle, Chad (OAG)" <(b) (6)
Cc: "Schilling, Nicholas (OLP)" <(b) (6) "Day, Sean C. (OAG)" <(b) (6) "McDonald, Colin (ODAG)" <(b) (6) "Karp, David J (OLP)" <(b) (6) "Kass, Alida (OLP)" <(b) (6)
Subject: FW: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA
Date: Mon, 28 Apr 2025 12:15:16 -0400
Importance: Normal
Attachments: 2025.04.24_AG_Marshall_Ltr_to_AG_Bondi.pdf

Chad,

Alabama AG is requesting U.S. AG grant Chapter 154 certification for special habeas procedures in capital cases. See attached letter and below correspondence for details.

As you know, the AG's day-one memo, *Reviving the Federal Death Penalty and Lifting the Moratorium on Federal Executions*, directed OLP to "promptly address states' pending requests for certification pursuant to 28 U.S.C. § 2265." That directive is consistent with OLP's traditional role reviewing certification applications like Alabama's here. OLP will promptly begin its review of Alabama's materials and will keep you posted.

Best,

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: LaCour, Edmund <(b) (6)
Sent: Thursday, April 24, 2025 5:47 PM
To: Reitz, Aaron (OLP) <(b) (6)
Cc: Overing, Bob <(b) (6)
Subject: [EXTERNAL] Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

[redacted]
Duplicative Materials

Duplicative Materials

Subject: FW: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA
Date: Mon, 28 Apr 2025 12:25:08 -0400
Importance: Normal
Attachments: 2025.04.24_AG_Marshall_Ltr_to_AG_Bondi.pdf

Nicholas –

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Monday, April 28, 2025 12:15 PM
To: Mizelle, Chad (OAG) <(b) (6)
Cc: Schilling, Nicholas (OLP) <(b) (6) Day, Sean C. (OAG) <(b) (6) McDonald, Colin (ODAG) <(b) (6) Karp, David J (OLP) <(b) (6) Kass, Alida (OLP) <(b) (6)
Subject: FW: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

Duplicative Materials

[redacted]
Duplicative Materials

From: "LaCour, Edmund" <(b) (6)
To: "Reitz, Aaron (OLP)" <(b) (6)
Cc: "Overing, Bob" <(b) (6) "Schilling, Nicholas (OLP)" <(b) (6)
Subject: [EXTERNAL] RE: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA
Date: Mon, 28 Apr 2025 12:26:42 -0400
Importance: Normal

Aaron,

Thank you for getting back to us so quickly. There is not a specific timeline we had in mind. We just wanted to get this to you sooner rather than later, particularly because when Arizona was approved during the first Trump Administration, there were several legal challenges before AG Garland ultimately stopped defending the federal government's decision.

Best,
Eddie

Edmund LaCour
Solicitor General
Office of Alabama Attorney General Steve Marshall
(b) (6)

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Monday, April 28, 2025 11:12 AM
To: LaCour, Edmund <(b) (6)
Cc: Overing, Bob <(b) (6) Schilling, Nicholas (OLP) <(b) (6)
Subject: RE: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Thanks Eddie. What kind of timeline are we working with? Something specific or just ASAP?

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: LaCour, Edmund <(b) (6)
Sent: Thursday, April 24, 2025 5:47 PM
To: Reitz, Aaron (OLP) <(b) (6)
Cc: Overing, Bob <(b) (6)
Subject: [EXTERNAL] Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

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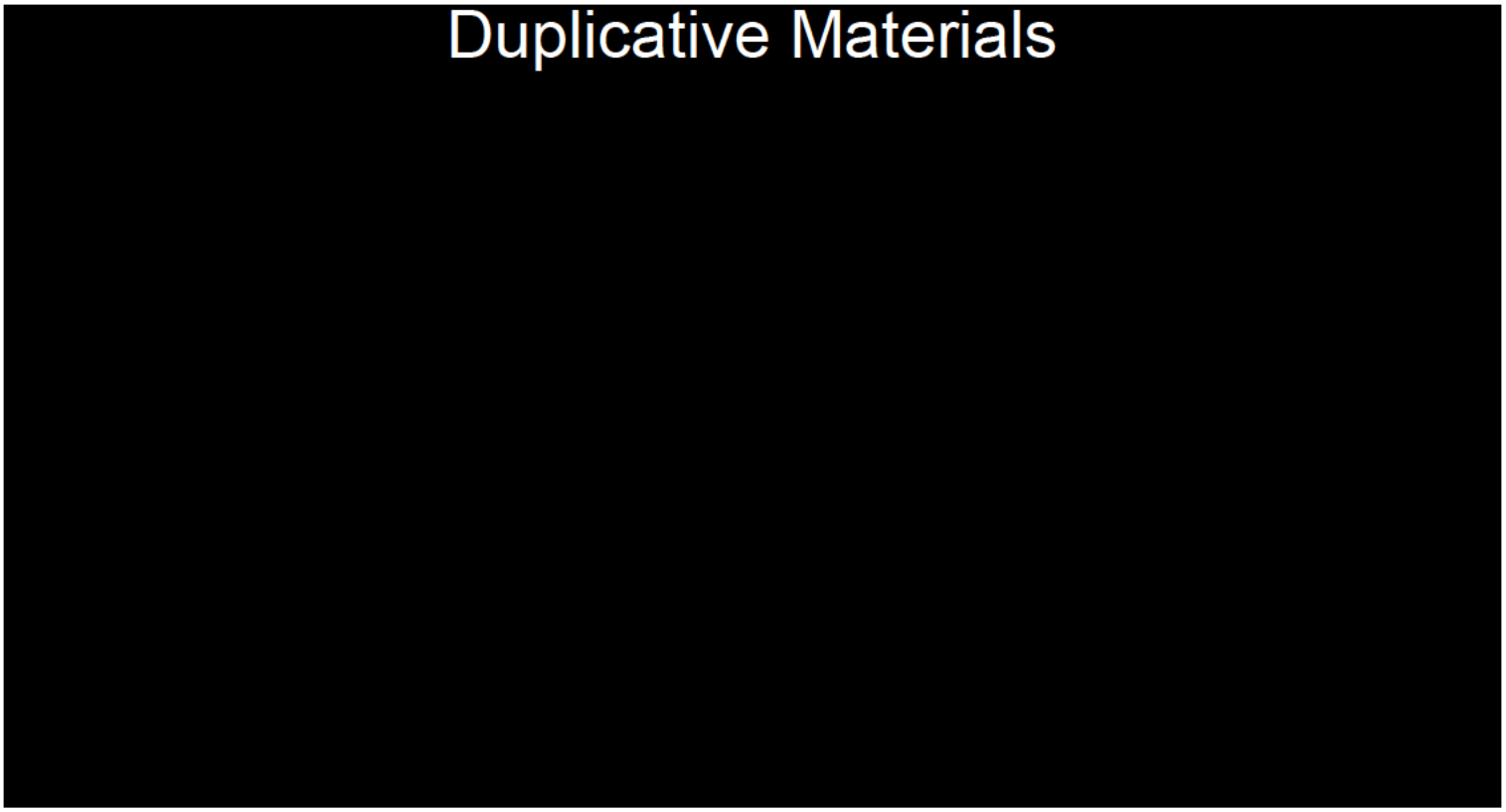

Duplicative Materials

From: (b)(6) - Chad Mizelle Email Address
To: Aaron Reitz <(b) (6)
Cc: Nicholas Schilling <(b) (6) "Sean C. Day" <(b) (6) Colin McDonald <(b) (6) David J Karp <(b) (6) Alida Kass <(b) (6)
Subject: Re: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA
Date: Mon, 28 Apr 2025 12:55:30 -0400
Importance: Normal

Excellent. Thank you.
Sent from my iPhone

On Apr 28, 2025, at 12:15 PM, Reitz, Aaron (OLP) (b) (6) wrote:

Chad,

Alabama AG is requesting U.S. AG grant Chapter 154 certification for special habeas procedures in capital cases. See attached letter and below correspondence for details.

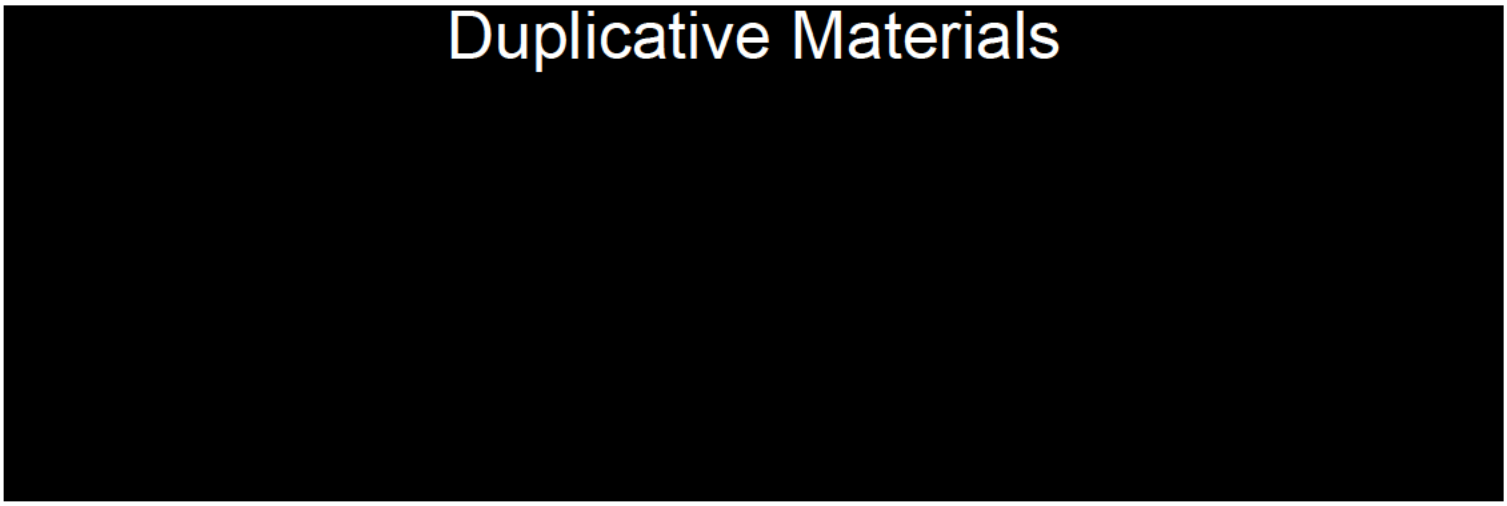
As you know, the AG's day-one memo, *Reviving the Federal Death Penalty and Lifting the Moratorium on Federal Executions*, directed OLP to "promptly address states' pending requests for certification pursuant to 28 U.S.C. § 2265." That directive is consistent with OLP's traditional role reviewing certification applications like Alabama's here. OLP will promptly begin its review of Alabama's materials and will keep you posted.

Best,

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: LaCour, Edmund <(b) (6)
Sent: Thursday, April 24, 2025 5:47 PM
To: Reitz, Aaron (OLP) <(b) (6)
Cc: Overing, Bob <(b) (6)
Subject: [EXTERNAL] Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

Duplicative Materials


Duplicative Materials

From: "Schilling, Nicholas (OLP)" <(b) (6)
To: "Kass, Alida (OLP)" <(b) (6)
Cc: "Karp, David J (OLP)" <(b) (6)
Subject: FW: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA
Date: Tue, 29 Apr 2025 09:03:33 -0400
Importance: Normal
Attachments: 2025.04.24_AG_Marshall_Ltr_to_AG_Bondi.pdf; ch154texasAPRIL2018.docx
Embedded: RE:_For_Component_Review,_Initial_Circulation,_due_5PM_Friday,_April_25:_Draft_Death_Penalty_Act_of_2025

Alida, I am sharing with you the attachments from David's email below.

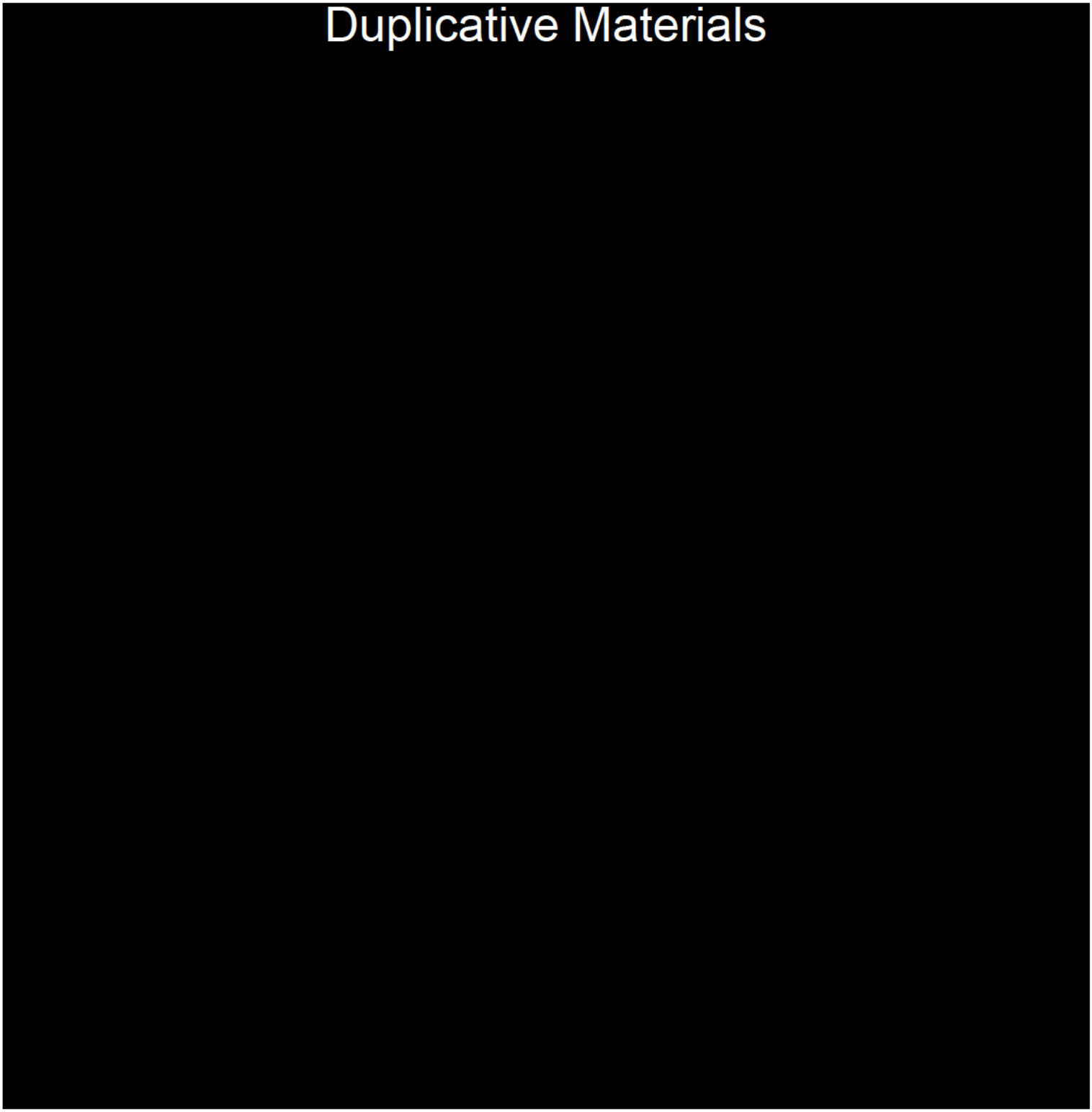
From: Karp, David J (OLP) <(b) (6)
Sent: Monday, April 28, 2025 2:19 PM
To: Schilling, Nicholas (OLP) <(b) (6)
Cc: Reitz, Aaron (OLP) <(b) (6)
Subject: FW: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

Nicholas –

This one seems to fall on me.(b) (5)

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Monday, April 28, 2025 12:15 PM
To: Mizelle, Chad (OAG) <(b) (6)
Cc: Schilling, Nicholas (OLP) <(b) (6) Day, Sean C. (OAG) <(b) (6) McDonald, Colin (ODAG) <(b) (6) Karp, David J (OLP) <(b) (6) Kass, Alida (OLP) <(b) (6)
Subject: FW: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

Duplicative Materials


Duplicative Materials

From: Josh Kredit <(b) (6)
To: (b)(6) - Aaron Reitz Email Address
Cc: (b)(6), (b)(7) - Timothy Courchaine Email Address
Subject: [EXTERNAL] Re: Arizona AEDPA Certification
Date: Tue, 29 Apr 2025 13:30:21 -0400
Importance: Normal
Attachments: 2019.01.08_AZ_Letter_to_DOJ.Exhibit_A.pdf; 2019.01.08_AZ_Letter_to_DOJ.Exhibit_B.pdf; 2019.01.08_AZ_Letter_to_DOJ.pdf; 2022.06.24_AZ_Letter_to_DOJ.pdf; 2024.06.06_AZ_Letter_to_DOJ.pdf; 2013.04.18_AZ_Letter_to_DOJ.pdf; 2017.11.27_AZ_Letter_to_DOJ.pdf; 2018.10.16_AZ_Letter_to_DOJ.pdf; 2018.11.27_AZ_Letter_to_DOJ.pdf
Inline-Images: image001.jpg

Hi Aaron,

Attached are all communications the Arizona Attorney General had with the DOJ regarding AEDPA certification.

These materials can also be accessed at the following link: https://www.justice.gov/olp/pending-requests-final-decisions.

Thank you!

Josh Kredit
Chief of Staff

Arizona State Senate
1700 W. Washington
Phoenix, AZ 85007
(b) (6)

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From: Reitz, Aaron (OLP) <(b) (6)
Sent: Monday, April 28, 2025 3:43 PM
To: Josh Kredit <(b) (6) Courchaine, Timothy (USAAZ) (b) (6), (b) (7)(C)
Subject: RE: Arizona AEDPA Certification

Thanks. Send me everything you initially submitted in your AEDPA request, as well as any subsequent communications with DOJ.

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Josh Kredit <(b) (6)
Sent: Monday, April 28, 2025 6:38 PM

To: Courchaine, Timothy (USAAZ) (b) (6), (b) (7)(C) ; Reitz, Aaron (OLP) <(b) (6)
Subject: [EXTERNAL] Re: Arizona AEDPA Certification

Hi Aaron,

Yes I am Chief of staff to Senate President Petersen. Apologies for not including that. And yes we respectfully request that DOJ look again at the AEDPA certification and grant the request.

And thank you Tim. Agreed this would go a long way with executions and helping speed up justice for victims.

Thank you both.

Get Outlook for iOS

From: Courchaine, Timothy (USAAZ) (b) (6), (b) (7)(C)
Sent: Monday, April 28, 2025 3:33 PM
To: Reitz, Aaron (OLP) <(b) (6) Josh Kredit <(b) (6)
Subject: RE: Arizona AEDPA Certification

Thanks, Josh for sending this up.

Aaron, I met with Josh (chief of staff) and Senate President Petersen recently regarding a variety of actions the Biden Administration unjustly took against Arizona. This AEDPA certification would go a long way in helping the state go forward on executions.

Let me know if there is anything the District of Arizona can do to help facilitate this.

Thank you,

Tim Courchaine
United States Attorney
District of Arizona
(b) (6)

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Monday, April 28, 2025 3:29 PM
To: Josh Kredit <(b) (6)
Cc: Courchaine, Timothy (USAAZ) (b) (6), (b) (7)(C)
Subject: RE: Arizona AEDPA Certification

Thanks Josh.

Are you Senator Warren Petersen's (President of the Arizona Senate) Chief of Staff?

Is the specific ask that DOJ look again at Arizona's request for AEDPA certification, which was denied by Biden/Garland, and instead grant the request?

Anything else?

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice

Work: (b) (6)
Cell: (b) (6)

From: Josh Kredit <(b) (6)
Sent: Monday, April 28, 2025 6:13 PM
To: Reitz, Aaron (OLP) <(b) (6)
Cc: Courchaine, Timothy (USAAZ) (b) (6), (b) (7)(C)
Subject: [EXTERNAL] Arizona AEDPA Certification

Good afternoon Aaron,

I'm writing to bring to your attention the Biden Administration's last-minute denial of Arizona's certification under the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA). As you know, AEDPA provides a path for states to seek certification for special federal habeas corpus review procedures for state capital cases. I am hopeful that Arizona may be able obtain certification under AEDPA, to help bring quicker access to justice for crime victims.

Below is a brief timeline of Arizona's AEDPA requests:

- Arizona applied for certification pursuant to Chapter 154 of Title 28 in 2013, which was granted in April 2020 by then-Attorney General William Barr. *See* 85 Fed. Reg. 20,705. Shortly after, a group of plaintiffs challenged the certification.

- In April 2021, while the matter was still being litigated, the DOJ moved for a voluntary remand to reconsider the certification. The DOJ requested additional information from then-Arizona Attorney General Mark Brnovich in October 2021, much of which pertained to the rates paid to capital counsel in Arizona, and General Brnovich's office provided that information to the DOJ in June 2022.

- In May 2023, the DOJ again requested additional information from current Arizona Attorney General Kris Mayes.

- In June 2024, General Mayes's office responded indicating that "Arizona has attempted to provide all information germane to Chapter 154 ... and at this time has no further information to provide." General Mayes' office also requested that "the Attorney General make a final determination based on the information Arizona has conveyed."

- On January 17, 2025, the DOJ responded to General Mayes, denying Arizona's application.

For your convenience, here is a link to the documents supporting this timeline: https://www.justice.gov/olp/pending-requests-final-decisions.

I also wanted to flag two items of note:

- First, if the DOJ determines that reconsideration of this denial is not possible or preferable, 28 U.S.C. 2265 only requires that certification be requested by "an appropriate state official," which Arizona Senate President Warren Petersen may be able to assist with.

- Second, the Arizona Senate introduced and passed SB 1035 this legislative session to allow counties to raise the rates paid to counsel in state capital post-conviction proceedings. The bill became law last week

and will go into effect 90 days after the end of the current legislative session. This change may factor into the DOJ's determination on whether Arizona should be certified.

I welcome the chance to discuss with you whether this last-minute denial of Arizona's long-sought certification can be reconsidered by the DOJ, and if so, how President Petersen may be able to assist with this effort. It is an important issue to the State of Arizona, especially for the family members of the victims of heinous capital crimes.

I am copying Acting U.S. Attorney for Arizona Tim Courchaine on this email as an FYI.

Thank you!

Josh Kredit
Chief of Staff

Arizona State Senate
1700 W. Washington
Phoenix, AZ 85007
(b) (6)

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From: "Reitz, Aaron (OLP)" <(b) (6)
To: "Karp, David J (OLP)" <(b) (6) "Kass, Alida (OLP)" <(b) (6)
Cc: "Schilling, Nicholas (OLP)" <(b) (6)
Subject: RE: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA
Date: Sun, 04 May 2025 13:59:19 -0400
Importance: Normal
Embedded: [EXTERNAL]_Re:_Arizona_AEDPA_Certification

David and Alida,

Refreshing this to see where we are and to add a similar request from Arizona. See and carefully review the attached correspondence. Please advise me on next steps in both Alabama and Arizona.

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Reitz, Aaron (OLP)
Sent: Monday, April 28, 2025 2:26 PM
To: Karp, David J (OLP) <(b) (6)
Cc: Kass, Alida (OLP) <(b) (6) Schilling, Nicholas (OLP) <(b) (6)
Subject: RE: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

Thanks David. Next week is fine. Our goal should be to be as (b) (5)

Looping Alida back in as I'd like her to work closely with you on this. Obviously you're the subject matter expert here, but I want Alida engaged.

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Karp, David J (OLP) <(b) (6)
Sent: Monday, April 28, 2025 2:19 PM
To: Schilling, Nicholas (OLP) <(b) (6)
Cc: Reitz, Aaron (OLP) <(b) (6)
Subject: FW: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

Duplicative Materials

From: "Reitz, Aaron (OLP)" <(b) (6)
To: "Karp, David J (OLP)" <(b) (6)
Cc: "Schilling, Nicholas (OLP)" <(b) (6) "Antell, Kira M. (OLP)" <(b) (6) "Gormsen, Eric T (OLP)" <(b) (6) "Hinchman, Robert (OLP)" <(b) (6) "Greer, Christina (OLP)" <(b) (6) "Chestnut, Brendan T. (OLP)" <(b) (6) "Kass, Alida (OLP)" <(b) (6)
Subject: RE: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA
Date: Mon, 05 May 2025 10:03:46 -0400
Importance: Normal

Alabama: (b) (5)

Arizona: (b) (5)

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Karp, David J (OLP) <(b) (6)
Sent: Monday, May 5, 2025 12:07 AM
To: Reitz, Aaron (OLP) <(b) (6)
Cc: Schilling, Nicholas (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Gormsen, Eric T (OLP) <(b) (6) Hinchman, Robert (OLP) <(b) (6) Greer, Christina (OLP) <(b) (6) Chestnut, Brendan T. (OLP) <(b) (6) Kass, Alida (OLP) <(b) (6)
Subject: FW: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

Aaron –

Regarding Alabama, the next step will be (i) posting Alabama's request for certification on the chapter 154 part of OLP's website ("State Capital Counsel Mechanism Certification") and (ii) publishing a notice in the Federal Register soliciting public comment on Alabama's application and advising where it is available (i.e., our website), with a 60 day comment period. The procedure is laid out in 28 CFR 26.21, 26.23(b) and https://justice.gov/olp/certification-process. The Federal Register notice is a brief, non-substantive document, which can be modeled on our previous notices for Arizona and Texas' applications, e.g., 82 FR 53529 (Nov. 16, 2017)(b) (5)

For Arizona,(b) (5)

(b) (5)

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Sunday, May 4, 2025 1:59 PM
To: Karp, David J (OLP) <(b) (6) Kass, Alida (OLP) <(b) (6)
Cc: Schilling, Nicholas (OLP) <(b) (6)
Subject: RE: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

David and Alida,

Refreshing this to see where we are and to add a similar request from Arizona. See and carefully review the attached correspondence. Please advise me on next steps in both Alabama and Arizona.

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Reitz, Aaron (OLP)
Sent: Monday, April 28, 2025 2:26 PM
To: Karp, David J (OLP) <(b) (6)
Cc: Kass, Alida (OLP) <(b) (6) Schilling, Nicholas (OLP) <(b) (6)
Subject: RE: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

Duplicative Materials

From: "Reitz, Aaron (OLP)" <(b) (6)
To: "Schilling, Nicholas (OLP)" <(b) (6) "Karp, David J (OLP)" <(b) (6)
Cc: "Antell, Kira M. (OLP)" <(b) (6) "Gormsen, Eric T (OLP)" <(b) (6) "Hinchman, Robert (OLP)" <(b) (6) "Greer, Christina (OLP)" <(b) (6) "Chestnut, Brendan T. (OLP)" <(b) (6) "Kass, Alida (OLP)" <(b) (6)
Subject: RE: Chapter 154 for Alabama, Arizona, and Texas
Date: Mon, 12 May 2025 21:38:26 -0400
Importance: Normal

For others' situational awareness. (b) (5)

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Reitz, Aaron (OLP)
Sent: Monday, May 12, 2025 7:54 PM
To: Schilling, Nicholas (OLP) <(b) (6) Karp, David J (OLP) <(b) (6)
Cc: Antell, Kira M. (OLP) <(b) (6) Gormsen, Eric T (OLP) <(b) (6) Hinchman, Robert (OLP) <(b) (6) Greer, Christina (OLP) <(b) (6) Chestnut, Brendan T. (OLP) <(b) (6) Kass, Alida (OLP) <(b) (6)
Subject: RE: Chapter 154 for Alabama, Arizona, and Texas

Thanks.

Who is Alida talking to in Texas?

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Schilling, Nicholas (OLP) <(b) (6)
Sent: Monday, May 12, 2025 10:40 AM
To: Reitz, Aaron (OLP) <(b) (6) Karp, David J (OLP) <(b) (6)
Cc: Antell, Kira M. (OLP) <(b) (6) Gormsen, Eric T (OLP) <(b) (6) Hinchman, Robert (OLP) <(b) (6) Greer, Christina (OLP) <(b) (6) Chestnut, Brendan T. (OLP) <(b) (6) Kass, Alida (OLP) <(b) (6)
Subject: RE: Chapter 154 for Alabama, Arizona, and Texas

Here's the update:

- Alabama: a draft notice is almost complete, which will be routed to you for signature before publication in the Federal Register
- Arizona: (b) (5)
- Texas: (b) (5)

From: Reitz, Aaron (OLP) <(b) (6)
Sent: Monday, May 12, 2025 10:36 AM
To: Karp, David J (OLP) <(b) (6)
Cc: Antell, Kira M. (OLP) <(b) (6) Gormsen, Eric T (OLP) <(b) (6) Hinchman, Robert (OLP) <(b) (6) Greer, Christina (OLP) <(b) (6) Chestnut, Brendan T. (OLP) <(b) (6) Kass, Alida (OLP) <(b) (6) Schilling, Nicholas (OLP) <(b) (6)
Subject: RE: Chapter 154 for Alabama, Arizona, and Texas

What's the status report on this? Very succinct please.

Aaron F. Reitz
Assistant Attorney General
Office of Legal Policy
U.S. Department of Justice
Work: (b) (6)
Cell: (b) (6)

From: Karp, David J (OLP) <(b) (6)
Sent: Monday, May 5, 2025 3:24 PM
To: Schilling, Nicholas (OLP) <(b) (6)
Cc: Reitz, Aaron (OLP) <(b) (6) Antell, Kira M. (OLP) <(b) (6) Gormsen, Eric T (OLP) <(b) (6) Hinchman, Robert (OLP) <(b) (6) Greer, Christina (OLP) <(b) (6) Chestnut, Brendan T. (OLP) <(b) (6) Kass, Alida (OLP) <(b) (6)
Subject: Chapter 154 for Alabama, Arizona, and Texas

Nicholas –

Alida and I have discussed and our recommended plan is:

- **ALABAMA:** Proceed with publishing a notice soliciting public comment on Alabama's request for chapter 154 certification. The specific steps are (i) posting the Alabama letter and supporting memorandum (first attachment) in the "pending requests & final decisions" part of the "state capital counsel mechanism certification" part of OLP's website, (ii) drafting a notice requesting public comment – I have done that in the second attachment, using our request for comment on Arizona's 2017 application as the model, 82 FR 53529, (iii) regulatory unit to put the draft notice in proper technical form, (iv) AAG Reitz signs the notice, (v) regulatory unit sends the notice for publication in the Federal Register with 60 day comment period.
- **ARIZONA:** (b) (5)
- **TEXAS:** (b) (5)

(b) (5)

- (b) (5) [redacted]
- [redacted]

[redacted]

Duplicative Materials

[redacted]

From: "LaCour, Edmund" <(b) (6)
To: (b)(6) - Alida Kass Email Address
Cc: "Overing, Bob" <(b) (6)
Subject: [EXTERNAL] FW: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA
Date: Mon, 16 Jun 2025 16:44:14 -0400
Importance: Normal
Attachments: 2025.04.24_AG_Marshall_Ltr_to_AG_Bondi.pdf

Edmund LaCour
Solicitor General
Office of Alabama Attorney General Steve Marshall
(b) (6)

From: LaCour, Edmund
Sent: Thursday, April 24, 2025 4:47 PM
To: (b)(6) - Aaron Reitz Email Address
Cc: Overing, Bob <(b) (6)
Subject: Correspondence from Alabama Attorney General Steve Marshall re: AEDPA

Duplicative Materials