



Office of the Attorney General

Washington, D.C. 20530

July 28, 1993

Michael Davidson, Esq.  
Senate Legal Counsel  
642 Hart Senate Office Building  
Washington, D.C. 20510

Re: United States v. Woolard, 981 F.2d 756  
(5th Cir. 1993)

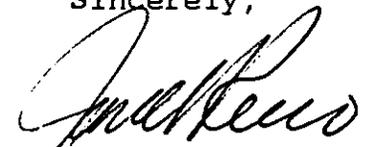
Dear Mr. Davidson:

This is to advise you, pursuant to 2 U.S.C. § 288k(b), that the Solicitor General has decided not to authorize the filing of a petition for a writ of certiorari in the above-captioned case.

The court of appeals in this case struck down the death penalty provision of one of the federal murder statutes, 18 U.S.C. § 1114. The court held that the death penalty provision was invalid because it failed to incorporate any of the procedures required by Furman v. Georgia, 408 U.S. 238 (1972), and subsequent decisions of the Supreme Court. The court of appeals further held that in light of United States v. Jackson, 390 U.S. 570 (1968), a district court is not authorized to devise procedures that would address the inadequacies in the death penalty provision of Section 1114.

All of the courts of appeals that have addressed the issue presented in this case have agreed with the analysis of the Fifth Circuit, and thus there is no conflict among the circuits on this issue. If a petition were to be filed in this case, it would be due, without extension, on August 2, 1993.

Sincerely,

  
Janet Reno  
Attorney General