

ORIGINAL



**IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF OKLAHOMA**

FILED
IN COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA

In Re:)
The Setting of Execution Dates)
in—)
)
JOHN MARION GRANT,)
JULIUS DARIUS JONES,)
BIGLER JOBE STUFFER,)
WADE GREELY LAY,)
DONALD ANTHONY GRANT,)
GILBERT RAY POSTELLE, and)
JAMES ALLEN CODDINGTON,)
)
Appellants,)
)
v.)
)
STATE OF OKLAHOMA,)
)
Appellee.)

SEP 20 2021

JOHN D. HADDEN
CLERK

Case Nos. D-2000-653
D-2002-534
D-2003-277
D-2005-1081
D-2006-14
D-2008-934
D-2008-655

ORDER SETTING EXECUTION DATES
PURSUANT TO 22 O.S.2011, § 1001.1

This matter comes before the Court on the State of Oklahoma's request for execution dates for death row inmates John Marion Grant, Julius Darius Jones, Bigler Jobe Stouffer, Wade Greely Lay, Donald Anthony Grant, Gilbert Ray Postelle and James Allen Coddington, pursuant to 22 O.S.2011, § 1001.1(D),(E). The State advises that all seven inmates have exhausted their state and federal

appeals and no further legal impediments to their execution remain. The State further advises that judgment was recently granted in full, at the summary judgment stage, against six of these inmates' challenges in federal court to the constitutionality of Oklahoma's lethal injection protocol. A seventh inmate (Stouffer) apparently has not joined that lethal injection challenge. All seven inmates have now filed objections with this Court to the requested settings.

The State says it has consulted with the Oklahoma Department of Corrections (ODOC) regarding an appropriate date for carrying out the execution of all seven of these inmates. In order for ODOC to meet its own operating procedures, and to accommodate the scheduling of clemency hearings before the Pardon and Parole Board, the State has submitted a proposed execution schedule.

Based upon a thorough review of the record before this Court, we find that the setting of execution dates in these cases is now appropriate and required pursuant to 22 O.S.2011, § 1001.1(D),(E). Therefore, we hereby order the execution of the judgment and sentence of death in these cases to be carried out as follows:

1. John Marion Grant is incarcerated pursuant to a judgment and sentence of death rendered in Osage County District

Court, Case No. CF-1999-28. *See Grant v. State*, 2004 OK CR 24, 95 P.3d 178.

The execution of John Marion Grant shall be set for October 28, 2021.

2. Julius Darius Jones is incarcerated pursuant to a judgment and sentence of death rendered in Oklahoma County District Court, Case No. CF-1999-4373. *See Jones v. State*, 2006 OK CR 5, 128 P.3d 521.

The execution of Julius Darius Jones shall be set for November 18, 2021.¹

3. Bigler Jobe Stouffer is incarcerated pursuant to a judgment and sentence of death rendered in Oklahoma County District Court, Case No. CRF-85-509. *See Stouffer v. State*, 2006 OK CR 46, 147 P.3d 245.

The execution of Bigler Jobe Stouffer shall be set for December 9, 2021.

¹ This Court is aware of Jones's commutation recommendation currently pending before the Governor. Because there is currently no legal stay in effect, this Court's duty to set a date certain is dictated by 22 O.S.2011, § 1001.1(D). Our action today is independent of other relief being sought.

4. Wade Greely Lay is incarcerated pursuant to a judgment and sentence of death rendered in Tulsa County District Court, Case No. CF-2004-2320. *See Lay v. State*, 2008 OK CR 7, 179 P.3d 615.

The execution of Wade Greely Lay shall be set for January 6, 2022.

5. Donald Anthony Grant is incarcerated pursuant to a judgment and sentence of death rendered in Oklahoma County District Court, Case No. CF-2001-4696. *See Grant v. State*, 2009 OK CR 11, 205 P.3d 1.

The execution of Donald Anthony Grant shall be set for January 27, 2022.

6. Gilbert Ray Postelle is incarcerated pursuant to a judgment and sentence of death rendered in Oklahoma County District Court, Case No. CF-2005-4759. *See Postelle v. State*, 2011 OK CR 30, 267 P.3d 114.

The execution of Gilbert Ray Postelle shall be set for February 17, 2022.

7. James Allen Coddington is incarcerated pursuant to a judgment and sentence of death rendered in Oklahoma County

District Court, Case No. CF-1997-1500. See *Coddington v. State*,
2011 OK CR 17, 254 P.3d 684.

The execution of James Allen Coddington shall be set for
March 10, 2022.

IT IS SO ORDERED.

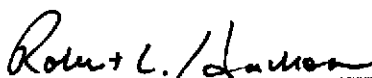
WITNESS OUR HANDS AND THE SEAL OF THIS

COURT this 20th day of September, 2021.



SCOTT ROWLAND, Presiding Judge*

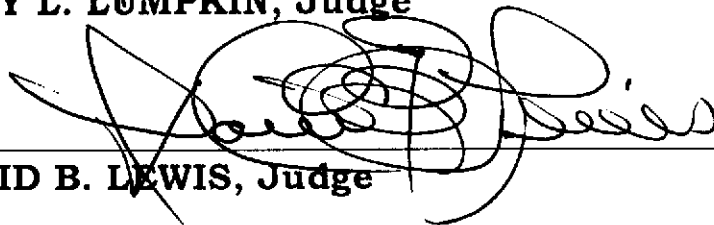
*I recuse as to the case of Gilbert
Postelle, D-2008-934, but concur as
to all other cases.



ROBERT L. HUDSON, Vice Presiding Judge

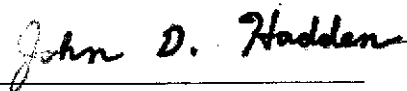


GARY L. LUMPKIN, Judge



DAVID B. LEWIS, Judge

ATTEST:



Clerk