

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

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|----------------------------------|---|-----------------------------|
| <b>KENDRICK ANTONIO SIMPSON,</b> | ) |                             |
|                                  | ) |                             |
| <b>Appellant,</b>                | ) |                             |
|                                  | ) |                             |
| <b>v.</b>                        | ) | <b>Case No. D-2007-1055</b> |
|                                  | ) |                             |
| <b>STATE OF OKLAHOMA,</b>        | ) |                             |
|                                  | ) |                             |
| <b>Appellee.</b>                 | ) |                             |

**NOTICE REGARDING THE SETTING OF AN EXECUTION DATE**

COMES NOW, the State of Oklahoma, by and through Attorney General Gentner F. Drummond, and notifies this Court that it may be appropriate for the Court to set an execution date for Appellant.

On May 7, 2024, this Court issued an order in seventeen cases, to include this case, in which this Court directed the Attorney General to notify this Court upon the execution of a death warrant. Further, said notice is to include the name of the inmate who is next eligible for execution. "The next eligible inmate shall be determined by the order in which the inmate has exhausted the appeals of their convictions and death sentence, provided there is no legal impediment to carrying out the execution, as set forth in 'Appendix A' attached to this Order." 5/7/24 Order at 5-6.

On June 12, 2025, the State notified this Court that John Fitzgerald Hanson (Case No. D-2006-126) had been executed. The State also notified this Court that Tremane Wood (No. D-2005-171) was the next eligible inmate. The State asked this Court to schedule Mr. Wood's execution on or after September

11, 2025. Mr. Wood objected to the setting of an execution date in his case and the State filed a reply.

On July 29, 2025, this Court issued an order acknowledging receipt of an *ex parte* request by the State in Mr. Wood's case to "instead set execution approximately thirty days further out from the originally requested September 11, 2025." 7/29/2025 Order at 1-2. On August 7, 2025, this Court determined that the *ex parte* communications should be provided to Mr. Wood's counsel on August 8, 2025, and this Court gave Mr. Wood until August 18, 2025, to file a response. 8/7/2025 Order Providing Appellant's Defense Counsel with *Ex Parte* Communications and Setting Release Date.

On August 18, 2025, Mr. Wood's counsel filed a number of pleadings. One of those pleadings was a Motion for Authorization to File Pleadings Responsive to State's Sealed Ex Parte Communications with the Court Under Seal ("Motion"). In this motion, which was not filed under seal, Mr. Wood's attorneys indicated their intent to "request to the United States District Court for the Western District of Oklahoma for leave to withdraw so that unconflicted replacement counsel can be appointed[.]" Motion at 4-5.

In light of Mr. Wood's intent to seek replacement counsel, who will presumably be unfamiliar with his case, the State suggests that it may be prudent for this Court to schedule an execution for the next eligible inmate, Kendrick Simpson. The following considerations suggest a date of October 30, 2025, would be feasible.

The Oklahoma Pardon and Parole Board has the following meetings on its calendar for 2025: September 8-10, October 6-8, November 3-5, and December 8-10. Clemency hearings are held on the third day of the Board's regularly scheduled meetings.

The Board's rules require that a clemency hearing be held no less than 21 days before a scheduled execution "unless otherwise directed by the Chairperson." Okla. Admin. Code tit. 515, § 10-3-1. The Board's practice has been to require the parties to submit written packets two weeks before the clemency hearing. Clemency packets are lengthy, time-intensive documents of up to 50 pages that require discussion of the crimes and other factors relevant to the clemency determination, as well as the preparation of an appendix of up to 150 pages. Thus, it is infeasible for Kendrick Simpson's clemency hearing to be held on September 10, with a packet due date of August 27.

For the foregoing reasons, the State respectfully submits that it would be appropriate for this Court to schedule Mr. Simpson's execution on Thursday, October 30, 2025, which would be 22 days after the Board's October 8 meeting.

Respectfully submitted,

**GENTNER F. DRUMMOND  
ATTORNEY GENERAL OF OKLAHOMA**

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**COUNSEL FOR THE STATE**

**CERTIFICATE OF SERVICE**

On this 22<sup>nd</sup> day of August, 2025, a true and correct copy of the foregoing was mailed, via regular first-class United States mail, to:

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