

ORIGINAL

IN THE SUPREME COURT OF OHIO

STATE OF OHIO,	*	S.C. No. 98-1474
Plaintiff-Appellee,	*	Death Penalty Case
-vs-	*	
DOUGLAS L. COLEY,	*	
Defendant-Appellant.	*	

MOTION TO SET EXECUTION DATE

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* **Death Penalty Case**

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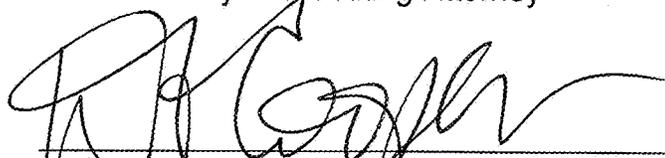
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MOTION TO SET EXECUTION DATE

The State of Ohio respectfully requests this Court to set an execution date for Defendant-Appellee, Douglas L. Coley ("Coley"). The reasons in support of this motion are stated in the attached memorandum.

Respectfully submitted,

JULIA R. BATES (0013426)
Lucas County Prosecuting Attorney



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STATE OF OHIO

MEMORANDUM IN SUPPORT

INTRODUCTION

On June 8, 1998, the Lucas County Court of Common Pleas convicted and sentenced Coley to death for the aggravated murder of Samar El-Okdi. Since his sentence and conviction, Coley's attorneys have pursued all available avenues of appeal afforded under both Ohio and federal law. Every court that has examined Coley's claims has upheld his murder conviction and death sentence. Coley has now completed all state and federal litigation. The State of Ohio hereby requests this Court set an execution date for Coley.

STATE COURT PROCEEDINGS

This court affirmed's Coley's conviction and sentence on direct appeal in *State v. Coley* 93 Ohio St.3d 253, 2001-Ohio-1340, 754 N. E.2d 1129. On December 31, 2001, Coley filed an application to reopen direct appeal to this court pursuant to S. Ct. Prac. R. 11.06, which the State of Ohio opposed. On March 4, 2002, this court denied the application to reopen direct appeal.

FEDERAL COURT PROCEEDINGS

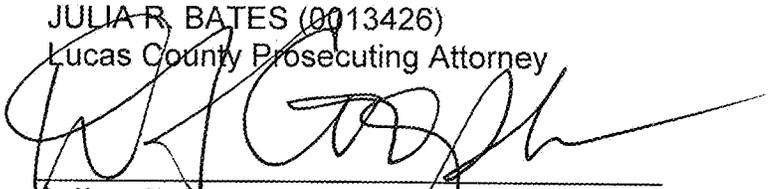
On April 5, 2010, the United States District Court for the Northern District of Ohio denied Coley's petition for a writ of habeas corpus. *Coley v. Bagley* (N.D. Ohio 2010), 2010 U. S. Dist. Lexis 33063. The Sixth Circuit Court of Appeals denied Coley's appeal on February 8, 2012 in *Coley v. Bagley*, 706 F.3d 741 (6th Cir. 2013). The United States Supreme Court denied certiorari on November 4, 2013 in *Coley v. Robinson* (2013), _____ U. S. _____, 134 S. Ct. 513, 187 L. Ed.2d 371.

CONCLUSION

Now that Coley has fully exhausted all available legal challenges to his conviction and death sentence, the State of Ohio respectfully requests this Court to set a date for Coley's execution.

Respectfully submitted,

JULIA R. BATES (0013426)
Lucas County Prosecuting Attorney

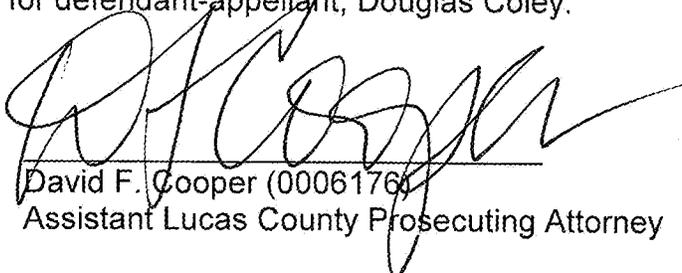


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COUNSEL FOR PLAINTIFF-APPELLEE,
STATE OF OHIO

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing *Motion to Set an Execution Date* was sent by ordinary U. S. Mail this 9th day of April, 2014 to Kevin M. Cafferkey, Esq. and John B. Gibbons, Esq., The Standard Building, Suite 2000, 1370 Ontario Street, Cleveland, Ohio 44113 counsel for defendant-appellant, Douglas Coley.



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