



September 9, 2008

Via facsimile: 512-463-1932

Austin office

510 S. Congress
Suite 304
Austin, Texas 78704
[v] 512.320.8300
[f] 512.477.2153

The Hon. Rick Perry
c/o Office of the General Counsel
1100 San Jacinto Street, Suite 412
Austin, Texas 78701

Houston office

412 Main, Suite 1150
Houston, Texas 77002
[v] 713.222.7788
[f] 713.222.0260

RE: Request for 30-day reprieve for Charles Dean Hood
Mr. Hood is scheduled to be executed on September 10, 2008

www.texasdefender.org

Dear Governor Perry:

I am writing to request that you grant a 30-day reprieve from execution in the case of Charles Dean Hood by exercising your authority pursuant to Article IV, Section 11 of the Texas Constitution and Article 48.01 of the Texas Code of Criminal Procedure. The execution is currently scheduled for Wednesday, September 10, 2008.

Last night and today, counsel for Mr. Hood deposed the former Collin County District Attorney, Thomas S. O'Connell, Jr., and the Hon. Verla Sue Holland. Judge Holland and Mr. O'Connell admitted under oath that they had an intimate sexual relationship for many years.

Judge Holland and Mr. O'Connell confirmed that they kept the relationship secret. She never disclosed it to a single litigant or lawyer who appeared before her, and she never recused herself from hearing a single case because of her affair with the elected district attorney. Similarly, Mr. O'Connell never disclosed the romantic relationship to any of his adversaries nor did he recuse himself or his office from prosecuting a single case because of his affair with Judge Holland.

The intimate sexual relationship between the judge and the district attorney began several years prior to the trial of Mr. Hood. While Mr. O'Connell and Judge Holland have different recollections as to when the affair ceased containing an intimate sexual component, there is no doubt that the relationship was sexual in the years immediately leading up to the time that Judge Holland had jurisdiction over the case. Even after their romance had ended, Judge Holland and Mr. O'Connell remained good, close friends.

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Prof. Jordan Steiker

Mandy Welch

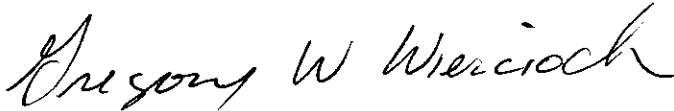
Judge Holland's refusal to disqualify herself from presiding over Mr. Hood's capital murder trial in which Mr. O'Connell took a primary role in obtaining a conviction and sentence of death violates the Texas and United States Constitutions, as well as the Code of Judicial Ethics. Her participation in the case calls into question her impartiality and fairness, and it undermines the public's confidence in the integrity of the judiciary.

No reasonable person would believe that a fair trial is possible when the presiding judge has had an intimate sexual relationship with one of the lawyers in the case. That neither Judge Holland nor Mr. O'Connell disclosed the existence of the affair to Mr. Hood or his counsel is a shocking and devastating indictment of the Texas criminal justice system.

A 30-day reprieve from execution is necessary to allow Mr. Hood's lawyers sufficient time to present this information to the Board of Pardons and Paroles, as well as the Court of Criminal Appeals, and give those institutions an opportunity to correct this profound injustice.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Gregory W. Wiercioch".

Gregory W. Wiercioch
A. Richard Ellis

Counsel for Charles Dean Hood