

No. 25-5997

IN THE
Supreme Court of the United States



TREMANE WOOD,

Petitioner,

vs.

STATE OF OKLAHOMA,

Respondent.

ON PETITION FOR A WRIT OF CERTIORARI
TO THE OKLAHOMA COURT OF CRIMINAL APPEALS

REPLY TO RESPONSE TO SUPPLEMENTAL
BRIEF

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The state accepts that Mr. Wood filed his supplemental brief yesterday in order to add “color” to the description of the course of proceedings in the lower courts. The state proceeds to add more color of its own, but its presentation elides two important details.

Judge Kathryn Savage, the first Oklahoma County District Court judge to whom Mr. Wood’s postconviction hearing was referred, was fully transparent with Mr. Wood and his counsel about the nature and extent of her professional and personal relationships with witnesses whose testimony would be presented at the hearing. By contrast, Judge Stallings was not fully transparent with Mr. Wood and his counsel about her professional and personal relationship with Fern Smith, the lead prosecutor at Mr. Wood’s trial and an anticipated witness at the hearing.

Judge Stallings’s lack of full transparency emerged only after Ms. Smith testified at the recusal hearing in Richard Glossip’s case. At this hearing, Mr. Wood learned that Judge Stallings had concealed important aspects of her personal and professional relationship with Ms. Smith during the March 28 informal conference. Mr. Wood also learned that after the reference hearing, Judge Stallings and Ms. Smith exchanged email about the quality of the reasoning in the findings of fact and conclusions of law. In this email thread, Judge Stallings disclaimed any credit for those findings and conclusions, pointing out that the Attorney General had written them.

Once the full extent of Judge Stallings’s relationship with Ms. Smith was known, Judge Stallings recused from Mr. Glossip’s trial. Judge Stallings’s lack of transparency denied Mr. Wood the opportunity to ask her to do the same in his case.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,
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