

SUPREME COURT OF ARIZONA

STATE OF ARIZONA,)	Arizona Supreme Court
)	No. CR-87-0135-AP
Appellee,)	
)	Pima County
v.)	Superior Court
)	Nos. CR-14065
FRANK JARVIS ATWOOD,)	CR-15397
)	
Appellant.)	FILED: 05/03/2022
)	
)	

WARRANT OF EXECUTION

This Court heard and considered the appeal in the above-entitled cause on December 6, 1990, and on April 9, 1992, affirmed the judgment of the Superior Court in Pima County, State of Arizona, and filed its OPINION, which is still in effect and has not been affected by any subsequent decision of this or any other Court.

On November 12, 1997, following the denial of relief in Appellant's first post-conviction proceeding, this Court denied Appellant's petition for review filed pursuant to Rule 32.16, Ariz. R. Crim. P.

On April 7, 2022, the Attorney General filed a motion to issue a Warrant of Execution, which motion was granted by this Court on May 3, 2022,

Therefore, pursuant to Rule 31.23(c), Ariz. R. Crim. P.,

IT IS ORDERED fixing Wednesday, the 8th day of June, 2022, as the date for commencement of the execution time period when

the judgment and sentence of death pronounced upon FRANK JARVIS ATWOOD by the Superior Court in Pima County shall be executed by administering to FRANK JARVIS ATWOOD by intravenous injection a substance or substances in a quantity sufficient to cause death, except that FRANK JARVIS ATWOOD shall have the choice of execution by either lethal injection or lethal gas. FRANK JARVIS ATWOOD shall choose either lethal injection or lethal gas and notify the Arizona Department of Corrections, Rehabilitation and Reentry ("Department of Corrections") at least twenty (20) calendar days prior to the date of execution. If FRANK JARVIS ATWOOD fails to choose either lethal injection or lethal gas and notify the Department of Corrections of that decision, the penalty of death shall be inflicted by lethal injection, pursuant to A.R.S. § 13-757(B).

IT IS FURTHER ORDERED that this Warrant is valid for twenty-four (24) hours beginning at an hour to be designated by the Director of the Department of Corrections, with written notice of the designated hour to be given to the Supreme Court and parties at least twenty (20) calendar days prior to the date of execution.

IT IS FURTHER ORDERED that the Clerk of this Court shall prepare and certify a true and correct copy of this Warrant and shall cause the same to be delivered to the Director of the Department of Corrections and the Superintendent or Warden of the State Prison, at Florence, Arizona, and the same shall be sufficient authority to them for the execution of FRANK JARVIS ATWOOD.

IT IS FURTHER ORDERED that, upon the execution of FRANK JARVIS ATWOOD, the Superintendent or Warden shall, pursuant to Rule 31.23(d), Ariz. R. Crim. P., make a return of this Warrant to the Supreme Court of Arizona, which return shall show the manner and time of execution.

Dated in the City of Phoenix, Arizona, at the Arizona Courts Building, this 3rd day of May, 2022.

/s/

ROBERT BRUTINEL, Chief Justice

/s/

ANN A. SCOTT TIMMER, Vice Chief Justice

/s/

CLINT BOLICK, Justice

/s/

WILLIAM G. MONTGOMERY, Justice

/s/

KATHRYN H. KING, Justice

Justice John R. Lopez IV and Justice James P. Beene are recused and did not participate in the determination of this matter.

STATE OF ARIZONA

SUPREME COURT

I, Tracie K. Lindeman, Clerk of the Supreme Court of the State of Arizona, hereby certify the above and foregoing 3 pages to be a full and true copy of the Warrant of Execution of FRANK JARVIS ATWOOD, filed by said Supreme Court in the above-entitled action on this 3rd day of May, 2022.

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the Supreme Court of the State of Arizona this 3rd day of May, 2022.

/s/
Tracie K. Lindeman, Clerk of Court