

	A	B	C	D	E	F	G
1	Name	General Information	Crime and Trial	Legal Status	Current Counsel	Reported Opinions	Significant Legal Issues
2	Dunster, David	DOB: 06/25/1954 Race: White Gender: Male	* County of conviction: Lancaster * Number of counts: One * Race of Victims: White * Gender of Victims: Male * Date of crime: 05/10/1997 * Date of Sentencing: 01/26/2000	Current Proceedings: Habeas petition pending in D. Neb.	Michael Nelsen Steven E. Achelpohl	State v. Dunster, 631 N.W.2d 879 (Neb. 2001), cert. denied, 535 U.S. 908 (2002); State v. Dunster, 707 N.W.2d 412 (Neb. 2005) (affirming in part and dismissing Dunster's claim that his death sentence was void for lack of jurisdiction); State v. Dunster, 769 N.W.2d 401 (Neb. 2009) (affirming denial of post-conviction relief).	On post-conviction appeal: 1. whether defendant's allegations of ineffective assistance of the public defender at trial were procedurally barred; and 2. whether counsel's failure to investigate the performance of the public defender's office and file a motion to discharge the public defender constituted deficient performance. On direct appeal & post-conviction proceedings: 1. claim of conflict of interest as to public defender who represented Dunster before trial court, in light of attorney's potential as a witness for having overheard Dunster threaten a police investigator, and attorney's pretrial testimony about public defender office's confidentiality practices (deputy sheriff's mother was an employee of the office) 2. whether Dunster's conviction of court-appointed counsel and equitable
3	Ellis, Roy	Race: Black Gender: Male	* County of conviction: Douglas * Number of counts: One * Race of Victims: Black * Gender of Victims: Female * Date of crime: 2005 * Date of Sentencing: 02/06/2009	Current Proceedings: Direct Appeal, Case No. S-09-0148	Patrick Dunn Jerry Hug	None	
4	Gales, Arthur Lee, Jr.	DOB: 05/01/1965 Race: Black Gender: Male	* County of conviction: Douglas * Number of counts: Two * Race of Victims: Black/Black * Gender of Victims: Male/Female * Date of crime: 11/17/2000 * Date of Sentencing: 11/06/2001 (first sentencing); 12/09/2003 (second sentencing)	Current Proceedings: Post-conviction	On appeal from second death sentence: Susan Bazis	State v. Gales, 658 N.W.2d 604 (Neb. 2003) (affirming convictions but vacating sentence and remanding for new penalty phase); State v. Gales, 694 N.W.2d 124 (Neb.), cert. denied, 546 U.S. 947 (2005).	On appeal after second death sentence: 1. whether defendant was prejudiced by trial court's denial of his motion to sequester and individually question prospective jurors about their knowledge of previous sentencing in the case; 2. whether evidence of defendant's prior convictions was self-authenticating; 3. whether jury was required to unanimously agree on whether, disjunctively, the murder was heinous, or atrocious, or cruel; 4. whether allowing State to make rebuttal argument, at aggravating-circumstances phase of capital sentencing, was an abuse of discretion; 5. whether the Nebraska Supreme Court's proportionality review of a
5	Galindo, Jorge	Race: Hispanic Gender: Male	* County of conviction: Madison * Number of counts: Five * Race of Victims: All White * Gender of Victims: 4 Female/1 Male * Date of crime: 09/26/2002 * Date of Sentencing: 11/10/2004	Current Proceedings: Party in 1983 prisoner civil rights case in D. Neb. 4:84-cv-00712-WKU; Post-conviction proceedings	Douglas Stratton Andrew Weeks	State v. Galindo, 774 N.W.2d 190 (Neb. 2009), cert. denied, 130 S.Ct. 1887 (2010).	On direct appeal: 1. whether the statutory amendment requiring a determination by jury, rather than sentencing judge, as to existence of aggravating circumstances was procedural rather than substantive under ex post facto analysis; 2. whether the application of the amendment to defendant violated due process; 3. whether the amendment to capital sentencing procedures, requiring that jury, rather than sentencing judge, determine the existence or absence of aggravating circumstances rendering a defendant eligible for death penalty constituted a "bill of attainder,"
6	Hessler, Jeffrey	Race: White Gender: Male	* County of conviction: Scotts Bluff * Number of counts: One * Race of Victims: Hispanic * Gender of Victims: Female * Date of crime: 02/11/2003 * Date of Sentencing: 05/16/2005	Current Proceedings: Post-conviction proceedings	James Mowbray Jeffrey Pickens	State v. Hessler, 741 N.W.2d 406 (Neb. 2007).	On direct appeal: 1. whether the denial of defendant's motion to plead guilty to felony murder was an abuse of discretion; 2. whether the use of defendant's prior sexual assault of different victim to prove the aggravating circumstance that defendant had a prior history of serious assaultive criminal activity was an abuse of discretion; 3. whether the trial court's failure to excuse four jurors for cause constituted reversible error; 4. whether the denial of defendant's motion to change venue was an abuse of discretion;

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7	Lotter, John	DOB: 05/31/1971 Race: White Gender: Male	* County of conviction: Richardson * Number of counts: Three * Race of Victims: White/White/Black * Gender of Victims: Female/Female/Male * Date of crime: 12/31/1993 * Date of Sentencing: 02/21/1996	Current Proceedings: Habeas petition pending in D. Neb.	Andre Barry Sean Brennan	State v. Lotter, 586 N.W.2d 591 (Neb. 1998), modified, 587 N.W.2d 673 (Neb. 1999), cert. denied, 526 U.S. 1162 (1999); State v. Lotter, 664 N.W.2d 892 (Neb. 2003) (affirming denial of motion for post-conviction relief, new trial, and writ of error coram nobis), cert. denied, 542 U.S. 939 (2004); State v. Lotter, 771 N.W.2d 551 (Neb. 2009) (affirming denial of second petition for post-conviction relief), cert. denied, 130 S.Ct. 1900 (2010).	Issues: 1. whether the co-defendant's cellmate's account of recantation in post-conviction proceedings was admissible, 2. whether the co-defendant could refuse to testify at PCR hearing under Fifth Amendment 3. whether the trial judge's ex parte communications with prosecutor violated due process (prosecutor sought judge's assurance that Lotter's accomplice would receive a life sentence in exchange for his testimony against Lotter); and 4. whether defendant was entitled to postconviction relief on claim of actual innocence based upon codefendant's recent recantation of trial
8	Mata, Raymond Jr.	DOB: 02/07/1973 Race: Hispanic Gender: Male	* County of conviction: Keith (on change of venue from Scottsbluff County) * Number of counts: One * Race of Victims: Hispanic * Gender of Victims: Male * Date of crime: On or about March 15, 1999 * Date of Sentencing: 06/01/2000		On appeal from second death sentence: James Mowbray Jerry Soucie Jeff Pickens	State v. Mata, 668 N.W.2d 448 (Neb. 2003) (reversing in part and remanding for new penalty phase hearing, holding that violation of Ring v. Arizona in imposing death sentence was plain error), cert. denied, 543 U.S. 1128 (2005); State v. Mata, 745 N.W.2d 229 (Neb.) (affirming sentence and staying execution because electric chair violates 8th amendment), cert. denied, 129 S.Ct. 228 (2008); see also State v. Rogers, 760 N.W.2d 35 (Neb. 2009) (abrogating State v. Mata, 668 N.W.2d 448, holding that it is a mixed question of law and fact whether a statement was voluntarily made, whether a custodial interrogation has occurred, whether sufficient Miranda warnings were given to the suspect, whether properly advised Miranda rights	On appeal after second death sentence: 1. whether Nebraska's capital sentencing scheme violates the 8th Amendment; 2. whether the aggravator instruction was unconstitutionally vague; 3. whether jurors are required to unanimously agree on the means by which a capital defendant manifested aggravator of exceptional depravity; 4. whether the prohibition against cruel and unusual punishment in federal and state Constitutions is a restraint upon the exercise of legislative power, 5. whether death by electrocution violates prohibition against cruel
9	Moore, Carey Dean	DOB: 10/26/1957 Race: White Gender: Male	* County of conviction: Douglas * Number of counts: Two * Race of Victims: White/White * Gender of Victims: Male/Male * Date of crime: Aug. 22-27, 1979 * Date of Sentencing: 06/20/1980	Current Proceedings: Post certiorari	Alan Peterson	State v. Moore, 316 N.W.2d 33 (Neb.) (confirming conviction and sentence), cert. denied, 456 U.S. 984 (1982); Moore v. Clarke, 904 F.2d 1226 (8th Cir. 1990), cert. denied, 504 U.S. 930 (1992) (affirming grant of habeas as to sentencing only); State v. Moore, 502 N.W.2d 227 (Neb. 1993) (remanding case to trial court for re-sentencing); State v. Moore, 553 N.W.2d 120 (Neb. 1996), cert. denied, 520 U.S. 1176 (1997) (affirming death sentence); State v. Moore, 591 N.W.2d 86 (Neb.), cert. denied, 528 U.S. 990 (1999) (affirming denial of post-conviction relief); Moore v. Kinney, 119 F. Supp. 2d 1022 (D. Neb. 2000); Moore v. Kinney, 2000 WL 34561255 (D. Neb. Nov. 30, 2000) (denying motion to amend); Moore v. Kinney, 2000 WL 34561256	Issues: 1. whether the state's "exceptional depravity" aggravating factor was unconstitutionally vague, where state court's definition of the factor was not crafted until Moore's appeal 2. whether Ring v. Arizona is retroactive, in light of the fact that Moore's aggravating circumstances, were found, and sentence imposed, by a panel of judges 3. Lackey claim surrounding length of confinement on death row 4. whether the electric chair violates the 8th amendment and is unconstitutional
10	Ryan, Michael	DOB: 08/03/1948 Race: White Gender: Male	* County of conviction: Richardson * Number of counts: Two * Race of Victims: White/White * Gender of Victims: Male/Male * Date of crime: 04/29/1985 * Date of Sentencing: 10/16/1986	Current Proceedings: Post certiorari	Michael Nelsen Steven E. Achelpohl	State v. Ryan, 444 N.W.2d 610 (Neb. 1989) (affirming conviction and sentence), cert. denied, 498 U.S. 881 (1990); State v. Ryan, 534 N.W.2d 766 (Neb. 1995) (affirming denial of post-conviction relief); State v. Ryan, 601 N.W.2d 473 (Neb. 1999) (affirming denial of second motion for post-conviction relief), cert. denied, 529 U.S. 1100 (2000); Ryan v. Kenney, 125 F. Supp. 2d 1149 (D. Neb. 2000); Ryan v. Clarke, 281 F. Supp. 2d 1008 (D. Neb. 2003) (denying habeas corpus); Ryan v. Clarke, 287 F. Supp. 2d 1008 (D. Neb. 2003) (granting certificate of appealability on issues related to procedural default on competency claim, actual competence to stand trial, and whether his due process rights were violated when trial court held	Issues: 1. whether Ring v. Arizona is retroactive, in light of the fact that Ryan's aggravating circumstances, were found, and sentence imposed, by a judge 2. whether the deference standard in 28 U.S.C. § 2254(d) is applicable, since Ryan filed a federal habeas petition before the statute was enacted (which he subsequently dismissed for non-exhaustion, returned to state court, then filed a second habeas petition after AEDPA's effective date) 3. whether Ryan was competent to stand trial and whether he is competent to be executed
11	Sandoval, Jose	Race: Hispanic Gender: Male	* County of conviction: Madison * Number of counts: Five * Race of Victims: All White * Gender of Victims: 4 Female/1 Male * Date of crime: 09/26/2002 * Date of Sentencing: 01/14/2005	Current Proceedings: Post-conviction	Ronald Temple	State v. Sandoval, 280 Neb. 309 (2010) (affirming conviction and sentence).	On direct appeal: 1. whether the District Court abused its discretion in impaneling a numbers jury and withholding jurors' names from defendant; 2. whether the defendant was prejudiced by State's endorsement of over 500 witnesses; 3. whether the prosecutor's positive statements regarding witnesses' character constituted a substantial miscarriage of justice; 4. whether trial counsel's acquaintance with two victims rendered him incompetent to represent defendant; 5. whether evidence warranted a limiting instruction clarifying that "murder" referred to the five murders with which defendant was
12	Torres, Marco Jr.	Race: Hispanic Gender: Male	* County of conviction: Hall * Number of counts: Two * Race of Victims: * Gender of Victims: Male/Male * Date of crime: March 2007 * Date of Sentencing: 01/29/2010	Current Proceedings: Direct Appeal	At trial: Kirk Naylor	None	

	A	B	C	D	E	F	G
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13	Vela, Erick	Race: Hispanic Gender: Male	* County of conviction: Hall * Number of counts: Five * Race of Victims: All White * Gender of Victims: 4 Female/1 Male * Date of crime: 09/26/2002 * Date of Sentencing: 01/14/2005	Current Proceedings: Post-conviction	On direct appeal: James Mowbray Jeffrey Pickens Jerry Soucie Mark Albin	State v. Vela, 721 N.W.2d 631 (Neb. 2006) (dismissing interlocutory appeal from Madison County District Court's order overruling defendant's motion to preclude imposition of death sentence because of mental retardation); State v. Vela, 777 N.W.2d 266 (Neb. 2010) (affirming convictions and sentence), cert. denied, 130 S.Ct. 3364 (2010).	On direct appeal: 1. whether the amendment requiring that a jury determine the existence of aggravating circumstances constituted improper ex post facto legislation as applied to murders committed before statute's enactment and after United States Supreme Court decision in Ring v. Arizona; 2. whether the State was constitutionally required to provide defendant with notice as to which aggravating circumstances it would rely; 3. whether the codefendants' actions could be considered in determining the existence of aggravating circumstances;