

OCT 16 2024

TRENT TRIPPLE, Clerk  
By SABRINA STOKES  
DEPUTY

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,	)	CASE NO. CR-FE-0000-10252
	)	
Plaintiff,	)	
	)	DEATH WARRANT
vs.	)	
	)	
THOMAS EUGENE CREECH,	)	
	)	
Defendant.	)	
_____	)	

**TO:** Josh Tewalt, Director of the Idaho Department of Correction, and Randy Valley, Warden, Idaho Maximum Security Institution:

**WHEREAS** the above-named Defendant, THOMAS EUGENE CREECH, on the 28<sup>th</sup> day of August, 1981, pled guilty to the crime of First-Degree Murder; and,

**WHEREAS** on the 17<sup>th</sup> day of April, 1995, the Honorable Robert G. Newhouse entered his Findings of the Court in Considering the Death Penalty and a Judgment of Conviction finding that the above-named Defendant, THOMAS EUGENE CREECH is guilty of First-Degree Murder and imposing the sentence of Death; and,

**WHEREAS** the Honorable Robert G. Newhouse did, on the 12<sup>th</sup> day of December, 1996, enter an order denying the above-named Defendant, THOMAS EUGENE CREECH, post-conviction relief; and,

**WHEREAS**, on the 19<sup>th</sup> day of August, 1998, the Idaho Supreme Court issued its opinion upholding the conviction and sentence and affirming the denial of post-conviction relief and issued its Remittitur on the 23<sup>rd</sup> day of October, 1998, and,

**WHEREAS**, on 1<sup>st</sup> day of June, 1999, the United States Supreme Court, denied a Petition for Certiorari for the above-named Defendant, THOMAS EUGENE CREECH, and,

**WHEREAS**, on the 24<sup>th</sup> day of March, 2017, the Honorable B. Lynn Winmill entered Judgment denying the above-named Defendant, THOMAS EUGENE CREECH, federal habeas relief; and,

**WHEREAS**, on the 6<sup>th</sup> day of February, 2023, the United States Court of Appeals, Ninth Circuit, affirmed the denial of federal habeas relief; and,

**WHEREAS**, on the 10<sup>th</sup> day of October, 2023, the United States Supreme Court denied a Petition for Certiorari for the above-named Defendant, THOMAS EUGENE CREECH; and,

**WHEREAS**, on the 29<sup>th</sup> day of January, 2024, the Idaho Commission of Pardons and Parole denied the Commutation Petition for the above-named Defendant, THOMAS EUGENE CREECH; and,

**WHEREAS**, on the 30<sup>th</sup> day of January, 2024, a death warrant was issued by the Honorable Jason D. Scott for the execution of THOMAS EUGENE CREECH on the 28<sup>th</sup> day of February, 2024; and

**WHEREAS** the execution of THOMAS EUGENE CREECH could not be carried out by the Idaho Department of Correction; and

**WHEREAS**, Idaho Code § 19-2715(4) mandates that, “if for any reason,” “a judgment of death has not been executed, and it remains in force, the state shall apply for another warrant”; and

**WHEREAS**, pursuant to Idaho Code § 19-2715(5) the Court has inquired and finds there is an existing death sentence and that no valid stays of execution are currently in place; and

**WHEREAS**, Idaho Code § 19-2715(2) mandates that, upon such application, the district court shall set a new execution date not more than thirty (30) days thereafter;

**NOW THEREFORE, YOU ARE HEREBY COMMANDED**, pursuant to Idaho Code § 19-2716 and the Judgment of this Court, to receive said Defendant, THOMAS EUGENE CREECH, into your custody, and on the 13<sup>th</sup> day of November, 2024, you shall cause the execution of said sentence of death to take place, unless said sentence is stayed by law, and that you shall make a return upon this Death Warrant, showing the time, mode and manner in which it was executed pursuant to Idaho Code § 19-2718.

DATED this 16<sup>th</sup> day of October, 2024.

  
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JASON SCOTT  
DISTRICT JUDGE