

RECEIVED AND FILED

ORDER

JAN 13 1994

WHEREAS, Lloyd E. Schlup, Jr. stands convicted of capital murder; and  
WHEREAS, Schlup has contended in federal court that, based on <sup>Judith K. Inghart</sup> newly discovered evidence, he is innocent of capital murder; and  
SECRETARY OF STATE

WHEREAS, the federal courts have concluded that Schlup's claim cannot be brought in that forum and that the appropriate avenue is to request executive clemency from the Governor; and

WHEREAS, I was presented with a petition for executive clemency on behalf of Lloyd E. Schlup, Jr. and referred it to the Board of Probation and Parole pursuant to Section 217.800, RSMo for its review; and

WHEREAS, the Board of Probation and Parole has reviewed the petition and its accompanying affidavits and concluded that any claim of innocence turns on the credibility of persons and affiants not before it; and

WHEREAS, the Board of Probation and Parole recommends that the utilization of a Gubernatorial Board of Inquiry pursuant to Section 552.070, RSMo is an appropriate mechanism to review and provide a recommendation on the claim of innocence;

NOW, THEREFORE, I, Mel Carnahan, Governor of the State of Missouri, by virtue of the authority vested in me by the Constitution and laws of the State of Missouri, do hereby invoke the provisions of Section 552.070, RSMo and establish a Gubernatorial Board of Inquiry in the matter of Lloyd Schlup, Jr., an inmate condemned to death.

The Board shall be composed of Paul Vardeman, Frank Connett, Jr., and Michael Hart.

The Board shall determine if any new evidence exists, and if so, assess the credibility and weight of any such evidence.

Pursuant to Section 552.070, RSMo, the Board shall have subpoena power over persons and things. The Board may apply to the Circuit Court of Cole County, or any other court of competent jurisdiction, for a subpoena.

Pursuant to Section 552.070, RSMo, the Board shall close all of its proceedings and hold all collected information in strict confidence.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 12th day of January, 1994.

  
Mel Carnahan  
GOVERNOR

ATTEST:

Judith K. Inghart  
SECRETARY OF STATE