



STATE OF OHIO
OFFICE OF THE ATTORNEY GENERAL

JIM PETRO, ATTORNEY GENERAL

30 E. Broad St., 23rd Fl.
Columbus, OH 43215-3428
Telephone: (614) 728-7055
Facsimile: (614) 728-8600
www.ag.state.oh.us

June 15, 2006

James G. Tassie
Deputy Chief Legal Counsel
77 South High Street, 30th Floor
Columbus, Ohio 43215

Re: *John G. Spirko, Jr. v. Anderson*
Death Penalty Case

Dear Mr. Tassie:

As you know, the Governor has previously granted the Attorney General's requests for reprieves in order to allow the State to complete Mr. Spirko's requested DNA testing. Most recently, a 180-day reprieve was granted so mitochondrial DNA (mtDNA) could be conducted on numerous hairs located on the duct tape that was wrapped around the tarp that contained Mrs. Mottinger's body. Spirko has requested a large number of suspect comparisons, which requires extensive investigation for us to locate each individual and then procure their DNA standard. While the bulk of the testing process is near complete, to date, we have been unable to locate and obtain DNA profiles on a number of "suspects." We continue to exercise due diligence to fulfill Mr. Spirko's request.


More recently, on March 13, 2006, Mr. Spirko requested DNA testing on additional items, including approximately 30 to 100 cigarette butts recovered from the Elgin Post Office on August 9, 1982. The Attorney General has agreed to this requested testing. Because the number of samples to be tested is so voluminous, the Attorney General outsourced this testing to a private lab to ensure that the testing would be completed in a more expeditious manner. Even so, the testing will not be completed prior to Mr. Spirko's scheduled July 19, 2006 execution date. As such, we must request an additional reprieve from the Governor. We believe that 120 days will be sufficient time to complete all testing. As such, we are requesting a 120-day extension of the current reprieve from the Governor to accommodate these requests. Should more time be needed, we will request an additional extension.

Please find a copy of our letter to Spirko's attorneys, in which we notify them that we are requesting a 120-day extension of the current reprieve.

June 15, 2006
Re: John Spirko
Page 2 of 2

Thank you for your consideration. Please let me know if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Heather L. Gosselin".

Heather L. Gosselin
Senior Deputy Attorney General

cc: Thomas Hill
Alvin Dunn
Cynthia Mausser