IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

DAVID WILSON,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. 1:19-CV-284-RAH-CSC
	)	
JOHN Q. HAMM, Commissioner,	)	*** DEATH PENALTY CASE ***
	)	
Respondent.	)	

PETITIONER'S REPLY BRIEF
RE. RENEWED FIFTH MOTION FOR *BRADY* DISCOVERY

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RE. RENEWED FIFTH MOTION FOR *BRADY* DISCOVERY

Pursuant to the Court's Order dated November 10, 2025 (Doc. 145), Petitioner David P. Wilson respectfully submits this Reply Brief concerning his Renewed Fifth Motion for *Brady* Discovery, in which Mr. Wilson sought additional discovery of information about law enforcement interactions with his co-defendant, Kittie Corley. *See* Doc. 136.

PROCEDURAL POSTURE

It is difficult for Mr. Wilson to keep track of Respondent's changing positions regarding the authenticity of the Corley letter—not only over time, but also in different filings submitted to this Court. At the moment, Respondent is taking a different position in his Answer to the First Amended Petition (Doc. 129) and in his Objection to Petitioner's Renewed Fifth Motion for *Brady* Discovery (Doc. 147). The history is head spinning.

Authentic: From the time of the discovery of the Corley letter in August 2004 to the moment that Respondent was forced to produce the Corley letter to Mr. Wilson under federal court order in 2023—so, for 19 years—the State of Alabama never represented to the state courts, to this Court, or to the United States Supreme Court that the Corley letter was not "authentic." As counsel for Respondent, Mr. Richard

Anderson, represented to the United States Supreme Court, "the authorship is not in dispute." Doc. 136, p. 32-33.

Forgery: Immediately after Respondent was ordered to produce the Corley letter in 2023, Mr. Anderson changed gears and declared that the Corley letter was a forgery. Mr. Anderson submitted to this Court an affidavit by Kittie Corley (hereinafter the "Corley Affidavit") in which Corley declared that she had not written the letter. *See* Doc. 86-1.

Purportedly authentic: After Mr. Anderson withdrew as counsel and new counsel for Respondent, Ms. Audrey Jordan, filed a notice of appearance, Respondent made no mention of the Corley Affidavit in his Answer filed on July 21, 2025. *See* Doc. 129. At most, Respondent insinuated that the Corley letter was "purportedly" authentic, referring several times to "a handwritten letter purportedly written by codefendant Corley." Doc. 129, ¶¶ 15, 21, 24, 33, 64, 65, 66, 80, and 235. But that was very indirect and did not really represent an allegation that the Corley letter was a forgery.

Total forgery and "peppered fabrication": After Ms. Jordan withdrew and new counsel for Respondent entered a notice of appearance, Respondent now argues that the Corley letter is a "peppered fabrication" of "a known forger, thief, and escapee" named "Joan Dixie Ann Vroblick." Doc. 147, p. 43, 41, and 9.

We now learn all kinds of sordid details about the ostensible forger, Ms. Vroblick—supported by 16 new and intriguing documentary exhibits. According to Respondent, Ms. Vroblick "is one of the unluckiest people to ever live." Doc. 147, p. 10. Ms. Vroblick, apparently a veteran of the United States Air Force, was a reliable long-haul truck driver for over a decade. Doc. 147-1. In two letters, to the Coffee County District Attorney and to Judge Steensland respectively, she complained that a Mr. and Mrs. Jones were taking advantage of her. She alleged that the Joneses were interested in killing a certain Iva Lucas, an individual who allegedly landed their son in jail. Doc. 147-2, p. 9. Ms. Vroblick offered to provide the State with information on the Joneses' unlawful activities. Doc. 147-2, p. 5, 7. Multiple times throughout the letters, Ms. Vroblick offered to take a polygraph test. Doc. 147-2. Ms. Vroblick accumulated numerous indictments for theft and false check crimes in Houston County, Covington County, Dale County, Coffee-Enterprise County, and Wilcox County. *See* Doc. 147-4; Doc. 147-5; Doc. Doc. 147-6; Doc. 147-7; Doc. 147-8. In a 2003 letter to Judge Anderson, she thanked him for five years of community corrections and informed him that she was no longer able to drive trucks given a previous accident. Doc. 147-9. Unfortunately, Houston County Community Corrections was unable to accept her given that two other states, Pennsylvania and Oklahoma, had ongoing holds for her. Doc. 147-10. Soon after, Ms. Vroblick gave her things away and escaped from work release. Doc. 147-11. After being charged

with escape (Doc. 147-13), Ms. Vroblick wrote to the presiding judge that she had not intended to escape (Doc. 147-12). Instead, she had left the work release center intending to find a job, and while she was doing so, was battered and raped by two men. Doc. 147-12. In that same letter, she reiterated to the judge that she thought the work release center was supposed to help her find a job, but it did not, and she was willing to work despite her physical limitations. Doc. 147-12. Ms. Vroblick was convicted of escape in the third degree, and she was sentenced to 10 years of imprisonment. Doc. 147-14. One year prior to being put under guardianship in 2018 (Doc. 147-16), Ms. Vroblick pleaded guilty to negotiating a worthless instrument (Doc. 147-15).

These intricate details about Ms. Vroblick—documented by the 16 new exhibits—are apparently intended to cement her reputation as a con woman and to substantiate the new allegations that she forged the Corley letter.

Respondent's changing positions over the past two decades raise a number of unsettling problems for this federal habeas corpus litigation.

First, as a matter of professional responsibility, it is not clear that Respondent should be allowed to take the position that the Corley letter is a forgery given that Respondent has previously asserted to the courts – and particularly to the United States Supreme Court, in pleadings filed with the Court – that the Corley letter was authentic and *for that very reason* Respondent should be shielded from producing

other exculpatory material. Respondent was very clear to the Justices of the United States Supreme Court, in its Brief in Opposition to Petition for Writ of Certiorari, filed on March 25, 2019:

> Wilson also argues that the State violated *Brady* by not producing documents authenticating the Corley letter, but that argument fails for at least three reasons. ***First, the authorship of the letter was not in dispute***. As the exhibits to Wilson's petition show, the investigating officer believed "that the author of both documents are [sic] Catherine Nicole Corley." (R32 C. 616.) Second, the authenticating documents described in the petition have no independent materiality. [...] A document "authenticating" a letter's authorship ***when the authorship is not in dispute*** is not material because it neither adds to nor takes away from the quantum of evidence before the jury. Third, even if the letter's authenticity was at issue, the State produced the police report which disclosed the substance of the allegedly suppressed fact: ***that the document was authentic***.

Doc. 76-35 at PDF 133, Bates 5992; *see also* Doc. 33, p. 6; Doc. 37, p. 6; Doc. 56, p. 13, Doc. 64, p. 7.

Nothing has changed factually since March 2019. It is not new that Kittie Corley would like to disassociate herself from the Corley letter, in which she confesses to a capital murder and involvement in another murder. There are no changed circumstances that would justify Respondent telling the Supreme Court one thing and this Court the opposite.

Both the moral and the practical operation of a system of adversarial litigation depend upon the assumption that lawyers will be consistent in different courts.

State's attorneys should not argue one thing at four levels of courts for more than a dozen years and then repudiate the basic facts upon which all of those courts' judges have been led to believe that their judgment should be based. Absent the emergence of genuinely new, unforeseeable revelations, Respondent's counsel should not now be heard to say: "Forget the legal arguments we have made repeatedly based on the accepted fact that the Corley letter was written by Kittie Corley. The worth of those arguments is no longer of any real concern because, voilà!: the Corley letter was a forgery in the first place."

Second, as a matter of notice pleading, it is not clear that Respondent should now be allowed to argue that the Corley letter is a forgery, given that Respondent is not taking that position in his Answer to the First Amended Complaint. *See* Doc. 129. There, Respondent did not refer to the Corley Affidavit, not even once. Respondent did not state that the Corley letter was a fabrication.

It is well established that a responsive party may not advance new contestations of fact not included within its Answer. *See* Charles Alan Wright & Arthur R. Miller, Federal Practice & Procedure Civil § 1261 (April 2022) ("[T]he theory of [Federal Rule of Civil Procedure] 8(b) is that a defendant's pleading should apprise the opponent of those allegations in the complaint that stand admitted and will not be in issue at trial and those that are contested and will require proof to be established to enable the plaintiff to prevail."); *see also Western Union Tel. Co.*

v. Aldridge, 219 F. 836, 838 (5th Cir. 1914) ("The office of pleading is to inform the court and the parties of the facts in issue, the court that it may declare the law, and the parties that they may know what to meet by their proof.") (quoting *Hill v. Mendenhall*, 88 U.S. 453, 455 (1874)); *Edelman v. Belco Title & Escrow, LLC*, 754 F.3d 389, 395 (7th Cir. 2014) ("The purpose of a responsive pleading is to put everyone on notice of what the defendant admits and what it intends to contest."); *Peak v. ReliaStar Life Ins. Co*., 1:16cv3491, 2018 WL 6380772, at *2 (N.D. Ga. Sept. 28, 2018) (same); *Hibbett Retail, Inc. v. TCH Dev., Inc.*, No. 2:23-CV-00558-JHE, 2025 WL 73253 (N.D. Ala. Jan. 10, 2025) (same).

Nowhere in his Answer does Respondent contend that Ms. Vroblick forged the Corley Letter or that the Corley Letter is a forgery. *See* Doc. 129. By attempting to introduce another issue of fact through a response to a motion, rather than in a pleading, Respondent circumvents the distinction between motions and pleadings that is established by Rule 7 of the Federal Rules of Civil Procedure. *See, e.g., Hibbett Retail, Inc. v. TCH Dev., Inc.*, No. 2:23-CV-00558-JHE, 2025 WL 73253, at *3, n. 2 (N.D. Ala. Jan. 10, 2025) ("Rule 7, Fed. R. Civ. P., 'draw[s] a distinction between pleadings, which include "an answer to a complaint," and motions.' *United States v. Kaniadakis*, 2017 WL 2986269, at *2 (M.D. Fla. July 13, 2017) [holding that a counterclaim must be raised in a pleading, such as an answer, and not a motion to dismiss].")

Given that the Answer establishes the contours of Respondent's admissions, denials, and defenses for the entire litigation, Respondent has not explicitly put into play the Corley letter's authenticity. If Respondent wants to take the position that the Corley letter is a forgery, he needs to amend his Answer; and that would then open this case to discovery on all of the factual issues surrounding the question of whether the Corley letter is a fabrication and Joan Vroblick a forger. It is not clear why Respondent should be allowed to argue in this motion stage that the Corley letter is a forgery since that is not asserted in his Answer. Respondent's Objection (Doc. 147) and Exhibits (Doc. 147-1 through 147-16) are susceptible to being stricken by the Court.

Third, as a matter of *Brady* law, it does not matter whether a co-defendant's confession is authentic or not, so long as the supposed confession leads to material exculpatory evidence. *Brady* doctrine establishes that there can be a *Brady* violation based on an inauthentic and unreliable confession. *See Clemmons v. Delo*, 124 F.3d 944, 947 (8th Cir. 1997) (finding that a statement was material, and its suppression was a *Brady* violation, even though the investigator's notes relating the statement indicated that the declarant "did not make sense and further investigation reflects that . . . [his] statement is untrue"). *And see Dennis v. Secretary, Pennsylvania Department of Corrections*, 834 F.3d 263, 301-02 (3d Cir. 2016) (en banc):

> "The Commonwealth argues that Howard did not make the statements attributed to her in the activity sheet. In support of this

> assertion, the Commonwealth looks to Howard's and the Pugh's testimony during PCRA [that is, state postconviction] review – over sixteen years after Dennis's trial. Her statements during PCRA review carry little weight in how we consider a jury's credibility determination at trial. **In *Kyles*, the Supreme Court explicitly rejected the contention that post-conviction credibility determinations could replicate the jury's credibility determinations at trial.** *Kyles*, 514 U.S. at 449 ('[N]either observation [during post-conviction proceedings] could possibly have affected the jury's appraisal of Burns's credibility at the time of Kyles's trials.'). **The court oriented its analysis around how the jury would have weighed the information, not the credibility of the post-conviction testimony itself.** Thus, the proper inquiry remains whether use of the activity sheet by defense counsel at trial would have resulted in a different outcome at trial. The jury makes the credibility determination, not the Court sixteen years post-trial."

As a result, it is not clear why Respondent is introducing all this new evidence to the Court regarding the Corley Affidavit and now Joan Vroblick's sordid past, nor what the Court should do with this new evidence.

Fourth, as a matter of AEDPA law, it is not clear what to make of Respondent presenting all this new evidence to the Court. Respondent argues *ad infinitum* that no new evidence should be considered by this Court at this stage of the litigation. In his Answer, Respondent has cut and pasted 25 times the defense that "The state court findings of fact constitute the proper factual basis for consideration of this claim." Doc. 129, *passim*. Respondent is adamant here—and in other habeas litigation—that the federal courts cannot consider new evidence that was not in the state record. In this case, Respondent insists that this Court cannot consider Mr. Wilson's

downstream evidence from the Corley letter because it is not in the state record. *See* Doc. 129, ¶ 80 ("Because he failed to raise these allegations in state court, his new factual allegations are unexhausted and procedurally defaulted from habeas review."). Naturally, Mr. Wilson contests that. But if this Court is going to exclude Petitioner's new evidence, then what is good for the goose must be good for the gander. If the Court agrees that none of the downstream evidence from the Corley letter can be considered, then none of this new evidence about Joan Vroblick and the Corley Affidavit can be considered by the Court either. Alternatively, insofar as Respondent is making new claims about the forged Corley letter supposedly written by Joan Vroblick, Respondent has no grounds on which to argue that all of the other downstream evidence about the murders of Mr. Walker and Mr. Hatfield cannot be considered by the Court.

Fifth, as a matter of discovery law, Respondent's unprecedented dump of new evidence—truly unprecedented in a federal habeas corpus case where the state of Alabama takes the position that the federal courts should not consider new evidence—has blown the case wide open for discovery. All the new evidence about Joan Vroblick and Kittie Corley—especially Kittie Corley's most recent interrogation and affidavit—demands that Petitioner be allowed discovery. If Respondent is going to be allowed to change positions and now argue that the Corley

letter is a total forgery and "peppered fabrication," then Mr. Wilson should be granted the right to conduct discovery into their truth.

Sixth, as a matter of evidence, the Corley Affidavit is in all likelihood perjured evidence. Undersigned counsel has withdrawn his impetuous and hasty accusation of subornation of perjury. Undersigned counsel corrected and refiled his discovery motion eliminating any accusation of suborning perjury. *Compare* Doc. 89 with Doc. 100. So, with regard to Respondent's renewed request in his Objection (Doc. 147, p. 147, "Respondent again asks that Wilson withdraw his accusations of subornation of perjury"), Mr. Wilson withdraws again the accusation that counsel for Respondent suborned perjury. Mr. Wilson is making no accusations of subornation of perjury regarding *counsel* for Respondent.

That does not change the fact that Kittie Corley likely perjured *herself* in her affidavit. There are five solid reasons why she is probably lying in her affidavit. Petitioner has spelled those out in detail in Doc. 136, ¶ 89. Those five independent reasons remain, and this presents another troubling dimension to this case.

In sum, all of Respondent's new evidence surrounding Joan Vroblick and the Corley Affidavit raises many troubling issues as to whether Respondent should be allowed to present this new evidence to the Court or whether the exhibits and the Corley Affidavit should be struck by the Court.

However, for purposes of this Reply, Mr. Wilson will assume that Respondent will be allowed to proceed and to assert that the Corley letter is a forgery penned by Joan Vroblick. Respondent's position now opens the case for further discovery for the following reasons.

I. A FEW KNOWN SIMPLE TRUTHS ABOUT THE CORLEY LETTER

There are "several known, simple truths about the Corley letter and its surrounding circumstances," as District Judge W. Keith Watkins stated in his Memorandum Opinion and Order dated March 27, 2023 (Doc. 67, p. 21). At the time, Judge Watkins listed these, in italics: "*Prosecutors possessed the letter before trial, investigated its origin, and concluded that Corley was its author*." Doc. 67, p. 21. In addition, the following points are indisputable:

First, this case involves the most classic *Brady* claim: an exculpatory confession by a co-defendant. Mr. Wilson's case is on all fours with the *Brady* case itself. *See* Doc. 114, ¶ 324-329. This is the most traditional and clear type of *Brady* claim: the very core of *Brady* jurisprudence.

Second, the Corley letter was not produced to Mr. Wilson until 2023 under federal court order. There is no dispute that the actual Corley letter was not produced to defense counsel at trial. As Respondent states, "There is no indication on the case file checklist that the Corley Letter itself was produced to counsel at that time." Doc. 147, p. 18. There is also no indication that the handwriting expert report was

produced to counsel. Respondent argues that a police report that mentioned the Corley letter was produced to counsel and that the production of the police report satisfies *Brady* (although there has been no evidence admitted by this Court that Mr. Wilson's defense counsel received or read the police report, *see* Doc. 114, ¶ 196-199); however, that is a different matter. There is no dispute that the actual Corley letter was not produced until 2023.

Third, the Corley letter contains material information that was not in the police reports concerning the murders of both Mr. Walker and Mr. Hatfield. There was no mention of Kittie Corley's involvement in Mr. Hatfield's murder in the police report; and the Corley letter added many facts incriminating her that were not discussed in the police report. *See* Doc. 114, ¶ 206-260 (regarding the front side of the Corley letter); Doc. 114, ¶ 261-273 (regarding the back side of the Corley letter).[1]

Fourth, the Corley letter has already led to downstream evidence that would have been crucial at trial. *See* Doc. 114, ¶ 274-280 (regarding the murder of Mr. Walker); Doc. 114, ¶ 281-323 (regarding the murder of Mr. Hatfield). The Corley letter has already changed completely what this case is about. The texture of the case is already completely different than it was at trial. It is now all about Kittie Corley's

[1] Throughout this brief, all references to previous pleadings filed by Mr. Wilson in this case incorporate those passages by reference.

involvement in the murder—which the jury heard nothing about because trial counsel did not have the Corley letter or its fruits.

Given all of the new evidence that has already surfaced, Mr. Wilson is entitled to conduct discovery to find out if there is more material exculpatory evidence. Respondent has not adequately responded to this Court's request to certify that he has looked in every agency and checked every possible place. For instance, Respondent has not looked through the Alabama Bureau of Investigations' files in this case even though ABI investigators were involved in the investigation of both murders. Mr. Wilson is therefore entitled to conduct further discovery in this case. *See infra* Part IV.

II. THIS COURT IS NOT NOW BEING ASKED TO RESOLVE THE MERITS OF THE *BRADY* CLAIM.

This is not the proper moment to adjudicate Mr. Wilson's *Brady* claim on the merits. There are complicated issues of procedural default and questions of the merits of the *Brady* claim that need to be briefed by the parties. For instance, there is a legal question whether *Cullen v. Pinholster,* 563 U.S. 170 (2011), applies in the *Brady* context or is instead limited to claims of ineffective assistance of counsel. There is a solid legal argument that *Brady* claims constitute an exception to *Pinholster* because of the prosecution's role in suppressing the evidence and bringing about the constitutional error. That is a question of first impression that

calls for full briefing—as do many other intricate procedural default issues in Mr. Wilson's case. So, it is premature for this Court to rule on the merits of Mr. Wilson's *Brady* claim.

Also, this is not the proper moment to debate whether this Court should grant discovery on the *Brady* claim. That ship has sailed. The Court has granted discovery on the *Brady* claim. Doc. 67; Doc. 79.

The only question is whether the Court should grant further discovery. In Part IV *infra*, Mr. Wilson will substantiate, item-by-item, why the Court should do so.

III. THE NEW EVIDENCE WOULD BE FAVORABLE AND MATERIAL TO THE PETITIONER.

In his Objections, Respondent does not argue in detail the law surrounding "good cause" for discovery or present the Court with cases on "good cause," other than to state the general standard. *See* Doc. 147, pp. 38-39. On the question of "good cause" for discovery, Petitioner refers the Court to Part II of his Reply on the *Batson* motion for discovery. Doc. 148, ¶¶ 22-33 (incorporated herein by reference). Mr. Wilson previously provided "specific allegations," not "mere speculation," that his requested *Brady* discovery will assist him in proving his *Brady* claim. *See* Doc. 136, ¶¶ 24-105, 120-33; *Arthur v. Allen*, 459 F.3d 1310, 1311 (11th Cir. 2006).

Instead, Respondent makes several arguments regarding the lack of favorability and materiality of potential discovery related to the Corley letter and

Ms. Corley's involvement in the Hatfield murder. However, Respondent fails to negate the favorability and materiality of the potential evidence.

By way of background, this Court already underscored this in its opinion on June 21, 2023, that: "evidence of Corley's apparent propensity to involve herself in murders, especially if the 'backside' murder bears any similarity to the circumstances of the 'frontside' murder, likely would be 'advantageous' in a defense effort to apportion greater culpability onto Corley and away from petitioner." Doc. 79, p. 10. Thus, evidence connecting Kittie Corley to violent drug dealing or murder would be material to the defense, and additional evidence about the Walker and Hatfield murders would further the defense in at least three ways. Doc. 136, ¶¶ 120-133. First, evidence related to Ms. Corley's role in the Walker and Hatfield murders could be used to impeach Sergeant Luker, and would have served as the basis for calling Kittie Corley as an adverse witness. Second, the defense could have used the Corley letter and related evidence to impeach the prosecution's investigation. As this Court found in its decision on June 21, 2023, evidence of Corley's involvement in the Walker and Hatfield murders likely "suggests that [Corley] should have been subject to greater scrutiny for her role in Walker's murder." Doc. 79, p. 9. Third, evidence linking Ms. Corley to the Hatfield murder could have been exculpatory evidence. At Mr. Wilson's trial, the central question for the jury was who bludgeoned Mr. Walker to death with 114 blows. No direct evidence linked Mr.

Wilson to the 114 blows. At trial, DA Valeska convinced the jury that it was Petitioner who did the brutal, fatal beating. But Mr. Valeska knew, and withheld, Ms. Corley's violent drug-dealing history and involvement in the Hatfield murder. Had the jury heard evidence of Ms. Corley's criminal history and her involvement with the Hatfield murder, a reasonable juror would have found that evidence at odds with Mr. Valeska's trial theory and "entirely consistent" with Petitioner's trial defense. *See Youngblood v. West Vir*ginia, 547 U.S. 867 (2006). It is reasonably probable that the disclosure of the evidence at trial would have produced a different result at the guilt and penalty phases, and therefore was exculpatory. *See Kyles v. Whitley*, 514 U.S. 419 (1995).

In his response, Respondent makes several arguments about these matters of materiality that are unconvincing.

First, Respondent contends that Mr. Wilson is not entitled to additional discovery because "even if, *arguendo*, Wilson had been able to offer some evidence that Corley struck Walker, the jury would nevertheless have had uncontradicted evidence of Wilson's fatal strangulation of Walker, and thus of his guilt of capital murder," and the letter links Mr. Wilson to the crime. Doc. 147, p. 50 (quoting Doc. 99, p. 11); Doc. 147, p. 51. Just because the evidence does not exonerate Mr. Wilson entirely does not mean, however, that it is not favorable and material. At trial, the prosecution repeatedly emphasized the 114 blows inflicted on Walker during the

penalty phase. *See* Doc. 76-10 at PDF 110-11, Bates 1919-20; Doc. 76-10 at PDF 133-34, Bates 1942-43. If the jury believed that Kittie Corley was responsible for the 114 blows — *even if Mr. Wilson could still be found guilty of capital murder based on his participation in the homicide* — this evidence would have been critical mitigation during the penalty phase. *Lockett v. Ohio*, 438 U.S. 586, 597, 604 (1978) (Petitioner successfully challenged the Ohio death penalty statute on the grounds that it precluded the trial court from considering several factors as mitigating, including her lesser culpability as compared with her accomplices'). There is a reasonable probability that Mr. Wilson would not have been sentenced to death if the jury heard evidence that Ms. Corley was responsible for the 114 fatal blows, especially given the prosecution's focus on the 114 blows during the penalty phase.

Second, Respondent contends that Ms. Corley's involvement in the Hatfield murder could only be used to impeach her, and Ms. Corley was not called to testify. Doc. 147, p. 50. Such an argument misses a critical point. Mr. Wilson alleged that the evidence would have been used to impeach *Sergeant Luker*. Respondent does not contest that allegation.

Third, even if Ms. Corley had been called as an adverse witness, Respondent alleges, that would only have led to Ms. Vroblick being called, and Ms. Vroblick would have been easily impeached, which meant the letter would have been useless. *Id.* Respondent seems to rely once more on the Corley Affidavit obtained in June

2023, suggesting that if Ms. Corley had been called, she would have denied authoring the letter; Ms. Vroblick would have then testified to forging the letter; Ms. Vroblick would have been impeached; and thus the Corley letter could not have been used to discredit the prosecution. But such a wild series of assumptions is easily undermined by the following: (One) It remains unclear at this point what Ms. Corley would say under oath. After all, the State has until recently believed that the letter was authentic, and it may have had good reason to believe so. Moreover, the defense could have called the handwriting expert to testify to the likely authenticity of the letter, and the jury may well have credited the handwriting expert's testimony over Ms. Corley's testimony. (Two) Ms. Vroblick could have testified to what she had overheard Ms. Corley talking about. Even if the jury was unsure who wrote the letter, the jury may have believed the contents of the Corley letter, which was corroborated by other police interrogations of Kittie Corley in January and March 2005. (Three) Even if the letter itself were not used to impeach Kittie Corley, related downstream evidence — such as the law enforcement interrogations with Ms. Corley on January 29, 2005 and March 24, 2005 — would have been obtained and could have been used to discredit the prosecution.

Fourth, Respondent alleges that the Hatfield evidence was not relevant to Mr. Wilson's "guilt or the proper punishment" because even if Ms. Corley hit Mr. Walker as well, or "[e]ven if Wilson never touched Walker, he would be no less

guilty of capital murder." Doc. 147, p. 51-52. But such an assertion collapses the distinction between a capital murder conviction and the imposition of a death sentence. A capital murder conviction does not necessitate a sentence of death in Alabama or any jurisdiction within the United States. The Alabama capital punishment scheme, and the United States Constitution, do not permit mandatory death sentences resulting from a conviction. Ala. Code § 13A-5-46(e); *Woodson v. North Carolina*, 428 U.S. 280 (1976) (holding that mandatory death sentences are unconstitutional under the Fourteenth and Eighth Amendments). In order to sentence Mr. Wilson to death, the jury had to find at least one aggravating factor and that the aggravating factor(s) outweighed the mitigating factor(s). Here, the prosecution focused *at length* on the 114 blows against Mr. Walker to prove that Mr. Wilson committed a heinous, atrocious, and cruel murder. *See* Doc. 76-10 at PDF 110-11, Bates 1919-20; Doc. 76-10 at PDF 133-34, Bates 1942-43. If evidence at trial showed that Ms. Corley rather than Mr. Wilson committed all, or even some, of the 114 blows, the jury may have voted instead for life. Even without any evidence pointing to Ms. Corley's participation, the jury only voted for death with a 10-2 vote, the minimum vote required for death. Had some liability, or all of the liability, for the 114 blows been attributed to Ms. Corley, the jury would have voted in all likelihood for life.

Fifth, Respondent alleges that "bad character or 'propensity' evidence" was not admissible under Ala. R. Evid. 404(a) and (b), and Ms. Corley had not been convicted of a felony, as required by Ala. R. Evid. 609. Doc. 147, p. 52-53. But the question of admissibility is irrelevant to determining the materiality of suppressed *Brady* evidence when such evidence could have led to admissible evidence. *Bradley v. Nagle*, 212 F.3d 559, 567 (11th Cir. 2000). *See also, e.g., Williamson v. Moore*, 221 F.3d 1177, 1183 (11th Cir. 2000); *Wright v. Hopper*, 169 F.3d 695, 703 (11th Cir. 1999). Evidence concerning the Hatfield murder would likely have led the defense to pursue a more thorough investigation into Kittie Corley before trial and to obtain evidence including: impeachment evidence presented in cross-examination of Sgt. Luker, the lead investigator; mitigation evidence at the penalty phase and sentencing; rebuttal evidence regarding the HAC aggravator; evidence of a shabby investigation; and corroborating evidence by third-parties, such as Heather Lynn Brown, Mark Hammond, or Allen Hendrickson. Mr. Wilson has already briefed this issue at length in his First Amended Petition. *See* Doc. 114, ¶¶ 330-31. Mr. Wilson did not need to prove during his trial that Ms. Corley was necessarily the one who battered Walker, only that Ms. Corley was *more likely than he was* to have been the batterer. Evidence of Ms. Corley's involvement in the Hatfield murder would have fallen under Rule 404 (b), concerning "other crimes, wrongs, or acts." Although such evidence is not admissible "to prove the character of a person in order to show action

in conformity therewith," it *is admissible* "for other purposes," which may include proving that Ms. Corley, rather than Mr. Wilson, was more likely to have the knowledge or intent of how to commit a capital murder. *See* Advisory Committee's Notes to Ala. R. Evid. 404(b) ("While section (b) does not purport to provide an exhaustive listing of proper purposes, it states that proper purposes may include proving such things as motive, opportunity, intent, preparation, plan, knowledge, identity, or absence of mistake or accident.").

For all these reasons, Mr. Wilson is entitled to further discovery on the following items:

IV. MR. WILSON IS ENTITLED TO THE FOLLOWING DISCOVERY: ITEM BY ITEM

1. Production of the police transcripts of the two police interrogations of Kittie Corley dated January 29, 2005 and March 24, 2005.

On December 7, 2023, Respondent produced two audiotapes of police interrogations of Kittie Corley (dated January 29, 2005 and March 24, 2005) that had never been disclosed to Mr. Wilson before. *See* Doc. 86, p. 4, ¶ 9.

At that time, Respondent affirmed to the Court that "No transcriptions of those recordings exist in the materials reviewed." Doc. 86, p. 4, ¶ 9.

Mr. Wilson, however, received a copy of a purported police transcription of the January 29, 2005, police interrogation from a third-party investigative journalist. *See* Doc. 114-17 (unredacted); Doc. 118-7 (redacted). Mr. Wilson cannot be sure of

the authenticity of the transcription and cannot ascertain a proper chain of custody. *See* Doc. 136, ¶ 64. But the police did transcribe the interrogation.

It is likely that the transcripts of these two police interrogations are in the files of the Alabama Bureau of Investigations. One of the police interrogators was ABI agent Tommy Merritt. *See* Doc. 114-15 and Doc. 118-1 (January interrogation and redacted transcription); Doc. 114-7 and Doc. 118-2 (March interrogation and redacted transcription); Doc. 136, p. 29, n.1.

Respondent did not search the ABI files. In his compliance notice to this Court, Respondent asserted only that there was no additional discoverable evidence in the files of the three named agencies that the Attorney General chose to review: the Houston County District Attorney's office, the Dothan Police Department, and the Henry County District Attorney's Office. Doc. 86, p. 3, ¶ 4. Respondent apparently did not look through the ABI files. The police transcriptions are likely to be there.

Mr. Wilson respectfully requests that those ABI files be searched by Respondent and that the police transcripts of those interrogations of Kittie Corley and any other exculpatory material in the ABI files be produced by Respondent.

Given the history of the *Brady* disclosures, counsel for Petitioner respectfully requests open file access to the ABI files to review the materials himself.

2. **Production of all other police interrogations, and their respective transcriptions, of Kittie Corley that were conducted between January 29, 2005 and March 24, 2005; and any other police interrogations, statements, writings, letters, or any form of communication of Kittie Corley before or after those dates.**

The March 24, 2005 interrogation of Kittie Corley suggests that law enforcement conducted additional interrogations with Ms. Corley between the January 29, 2005 interrogation and the March 24, 2005 interrogation. *See* Doc. 136, ¶¶68-74. For example, in the March 24, 2005 interview, investigator Hendrickson mentions to Ms. Corley that she had told him in an earlier conversation that Mr. Hammond's truck needed to be looked at. Doc. 114-8 or Doc. 118-2, Transcription at p. 4, lines 1-4. No such statement was made by Kittie Corley in the January 29, 2005 interrogation. Mr. Hendrickson also mentions in the March 24, 2005 interview that Ms. Corley had previously mentioned an "Andrew White." Doc. 114-8 or Doc. 118-2, Transcription at p. 15, lines 12-16. Ms. Corley did not reference such a person in the January 29, 2005 interrogation. Finally, in the March 24, 2005 interview, Mr. Hendrickson mentions that he had previously mentioned non-prosecution to Ms. Corley. Doc. 114-8 or Doc. 118-2, Transcription at 15, lines 3-11. He did not mention that in the January 29, 2005 interview.

Furthermore, an agent of the Alabama Bureau of Investigations (ABI), Tommy Merritt, was present and actively interrogated Kittie Corley during the

March 24, 2005 interrogation. As noted *supra*, Respondent did not search the ABI's files. Doc. 81, p. 3. The remaining interrogations of Ms. Corley may have been kept by Mr. Merritt and/or the ABI.

3. **Production of all the letters and writings that Sgt. Luker seized from Corley's jail cell and any and all of her other correspondence, including, but not limited to "1 folder containing assorted hand written papers" and "1 writing pad with handwritten letters" (listed as #1 and #1A), "1 White inmate request form" (listed as #2), "1 yellow inmate request form dated 9/06/04" (listed as #3), "1 White inmate request form dated 9/23/04" (listed as #4), "1 Notice of appeal (Houston Co. Jail Form)" (listed as #5), "1 Brown cardboard folded [sic] containing assorted hand written papers" (listed as #6), "1 Hand written letter to Travis from Nicole" (listed as #7), and all pages of ""1 Hand written letter to David." Doc. 76-24 at PDF 16, Bates 3857.**

On December 7, 2023, Respondent produced the first two pages of a "Dearest David," undated, personal letter that Kittie Corley wrote to Petitioner while she was in jail pending trial for charges in connection with the murder of Mr. Dewey Walker. Doc. 114- 9; Doc. 114-10. There are additional handwriting samples by Ms. Corley that were in the same file as these disclosed pages. Doc. 136, ¶¶ 76-77. Given that there is no closing or signature to the disclosed pages, it is likely that there are additional pages to this letter.

On the "Dearest David" letter, there is a "#8" marked in the top right corner. Doc. 114-9. Based on the Dothan Police Department Report, following Sgt. Luker's conversation with Joan Vroblick, he searched Kittie Corley's jail cell on September 30, 2004, and seized eight handwritten documents, which he listed in a numbered

list in the police report. Doc. 76-24 at PDF 16, Bates 3857. Eighth on the list is "1 Handwritten letter to David." *Id.* Mr. Wilson believes, based on the number of the "Dearest David" letter and the numbered list of handwriting samples seized by Sgt. Luker, that the pages of the "Dearest David" letter disclosed came from the eighth seized document.

Respondent has also previously represented that the "Dearest David" letter was found in "a sealed envelope of handwriting exemplars … located at the Houston County Police Department," and "[u]pon the unsealing of that envelope several purported writings of Catherine Corley were found." Doc. 86, p. 7. It thus seems likely that the remaining documents seized by Sgt. Luker are in that same envelope with the "Dearest David" letter and would provide additional evidence that the handwriting on the Corley letter was indeed Ms. Corley's. Doc. 136, ¶¶ 76-77

Mr. Wilson requests that Respondent produce the other seven documents seized by Sgt. Luker during that same search, as well as any additional pages of the "Dearest David" letter not yet disclosed.

4. **Production of all materials and information requested by Petitioner's "Fourth Motion for Full Disclosure of Kittie Corley's Statements" (Doc. 81) that the Attorney General failed to disclose in his filings of December 7, 2023.**

Mr. Wilson requested production of materials in the possession of "any State, county, or municipal actors . . . (including by the District Attorney's Office, the Attorney General's Office, any other law enforcement office, or any law enforcement

personnel involved in the Walker or Hatfield homicide cases)." Doc. 81, ¶ 34.a and ¶ 35.a; Doc. 136, ¶¶ 106-119.

In its Order dated November 3, 2023, this Court directed the Attorney General to determine "that material covered by Petitioner's discovery requests does not exist," and to "certify in his response that no covered material exists." Doc. 83.

In his Response, Respondent represented that he reviewed materials from the Houston County District Attorney's Office, the Dothan Police Department, and the Henry County District Attorney's Office. Doc. 86, p. 3, ¶ 4. Respondent did not assert that no additional law enforcement offices or state agencies were involved in the Walker or Hatfield investigations, and in fact, as noted *supra*, it is certain that the Alabama Bureau of Investigations was involved in the Hatfield investigation.

Thus, the Attorney General has only canvassed a subset of the law enforcement agencies that would qualify as responsive to the Court's order.

Mr. Wilson requests that Respondent canvass all other law enforcement agencies that were involved in the Walker or Hatfield murder investigations and produce any documents responsive to Mr. Wilson's Fourth Motion for Full Disclosure of Kittie Corley's Statements (Doc. 81).

In addition, Respondent did not assert whether there were additional responsive documents in the files he has examined that he has yet to produce. Mr. Wilson requests either that Respondent produce any additional responsive documents

in the files already canvassed, or, in the alternative, certify that no additional responsive documents exist in the files of the three agencies already canvassed. *See* Doc. 136, ¶¶ 113-116 (additional specifications concerning Respondent's failure to certify that no additional responsive documents exist in the files already canvassed).

Respondent also represented that he spoke with Sergeant Luker and Chief Deputy Houston County District Attorney Gary Maxwell. But he failed to certify whether these two individuals were the only persons within the category of agents and agencies from whom information was sought. Doc. 86, p. 8. Mr. Wilson requests that Respondent obtain and produce information from all law enforcement agents who were involved in the Walker and Hatfield investigations and certify that he has done so.

Finally, in his Fourth Motion for Full Disclosure of Kittie Corley's Statements, Mr. Wilson requested production of "all . . . materials recording or evidencing any agent's decision, recommendation, or consideration of reasons not to charge Corley with capital murder in the Walker case or participation in the Hatfield homicide." Doc. 81, ¶36.e. The Attorney General's Response ignores this request completely, without explanation. *See* Doc. 86. Mr. Wilson requests that Respondent respond to this request.

Mr. Wilson requests full disclosure of materials and information requested by Petitioner's Fourth Motion for Full Disclosure of Kittie Corley's Statements that has

not been previously disclosed by Respondent, and to provide specific certifications when no additional responsive materials exist.

5. **Full and complete compliance, through a notice of compliance, with this Court's Order dated November 3, 2023. Doc. 83.**

As discussed in the point immediately above, in its Order dated November 3, 2023, this Court directed the Attorney General to determine whether "material covered by Petitioner's discovery requests does not exist," and if requested material does not exist, to "certify in his response that no covered material exists." Doc. 83.

Respondent has not certified that he has canvassed all state agencies and agents that might have responsive materials, nor has he certified that he has produced all responsive materials from the three agencies that he has canvassed.

Mr. Wilson thus requests that Respondent comply with the Court's order (Doc. 83) by canvassing all agencies and agents with responsive materials, producing all responsive materials, and certifying that no additional responsive materials exist in *any* agency with information related to the Walker and Hatfield investigations.

6. **Production of any and all police memoranda in law enforcement files that mention Kittie Corley (using any of her names, nicknames, or aliases), including but not limited to the "several" memoranda contained in the Henry County District Attorney's file [...] containing summaries of various recorded statements." Doc. 86, ¶9.**

Mr. Wilson has previously requested that Respondent produce all materials related to any law enforcement interrogation of Corley regarding her involvement in

the Hatfield murder. Doc. 81, ¶35.a. In response, Respondent produced the January 29, 2005 and March 24, 2005 recordings. Doc. 86, ¶9. Respondent also represented that "the Henry County District Attorney's file contained several typed attorney memoranda containing summaries of various recorded statements. Some of these memoranda contained very abbreviated summaries of Corley's two recorded statements." *Id.* Respondent refused to produce them because he believed "these documents are attorney work product." *Id.* However, as Mr. Wilson has previously explained (Doc. 136, ¶¶ 97-98), *Brady* obligations supersede work-product privilege when the material at issue is *fact* rather than *opinion* work product. *See Fontenot v. Crow*, 4 F.4th 982, 1063 (10th Cir. 2021). Fact work product includes all "documents and tangible things prepared in anticipation of litigation or for trial" that do not reflect "an attorney's mental impressions, conclusions, opinions, or legal theories." *Maplewood Partners, L.P. v. Indian Harbor Ins. Co.*, No. 08-23343-CIV, 2011 WL 3918597, at *3 (S.D. Fla. Sept. 6, 2011).

Here, given that Respondent has characterized the memoranda as mere "summaries," which indicates no careful analysis by the attorney, the material at issue must be *fact* work product, and therefore Respondent's *Brady* obligations supersede his work product privilege. If Respondent wishes to use work product privilege to shield the summaries from discovery, he has the affirmative burden to "show that the material contains the mental impressions, conclusions, opinions, or

legal theories of an attorney or other representative of a party." *S.E.C. v. Brady*, 238 F.R.D. 429, 441 (N.D. Tex. 2006). Respondent has yet to make such a showing, and thus Mr. Wilson is entitled to production of the summaries.

In addition, as Mr. Wilson has previously indicated (Doc. 136, ¶¶ 99-103), there are other such police memoranda in law enforcement files that mention Kittie Corley. Undersigned counsel independently obtained a summary of law enforcement's conclusions about the various suspects in the Hatfield murder from a third-party journalist. *See* Doc. 114-16. In addition, undersigned counsel has also obtained another document that represents a police summary of the evidence and investigation into the Hatfield murder (two partial versions of which are attached to the previous document under the date of March 31, 2005 and April 4, 2005). *See* Doc. 114-15 (unredacted) or Doc. 118-5 (redacted), Document titled "Final Summary" and dated April 4, 2005. None of these law memoranda have been produced to Mr. Wilson.

Those law enforcement memoranda that reference Kittie Corley must be produced to Mr. Wilson by Respondent, as well as any related documents that establish a chain of custody for the memoranda and their reliability. These law enforcement memoranda will show law enforcement's interpretation of what was important, authentic, and reliable in the interrogations, and of the materiality of what

Ms. Corley told them. Such documents are also not subject to attorney work-product privilege, as law enforcement officials are not state attorneys.

The Attorney General states that there are "several" documents that mention the interrogations of Kittie Corley. Mr. Wilson requests that Respondent produce all of them.

7. **Production of any documents or materials of any kind whatsoever in the possession of any state, county, or municipal agency responsible for law enforcement or prosecution that mention Kittie Corley (using any of her names, nicknames, or aliases), including any such documents or materials in the possession of the law enforcement records of the Alabama Bureau of Investigations.**

In Mr. Wilson's Fourth Motion for Full Disclosure of Kittie Corley's Statements, Petitioner requested several categories of materials related to Kittie Corley in the possession of law enforcement, including materials related to her involvement in the Walker and Hatfield murders, as well as any materials pertaining to Ms. Corley's refusal or agreement to testify at a murder trial. Doc. 81, ¶¶34-36. Respondent then canvassed three law enforcement agencies and produced a selection of materials on December 7, 2023. *See* Doc. 86.

As discussed *supra*, an agent of the Alabama Bureau of Investigations (ABI), Tommy Merritt, was present and actively interrogated Kittie Corley during the March 24, 2005 interrogation. *See* Doc. 136, ¶¶ 111-12. It is thus almost certain that the Alabama Bureau of Investigations contains materials concerning Kittie Corley,

yet Respondent did not canvass the ABI. It thus appears that Respondent's previous search was underinclusive.

Thus, Mr. Wilson now requests that Respondent conduct a more thorough and comprehensive search. Mr. Wilson requests that Respondent canvass the files of the ABI and any other state, county, or municipal agency that may have responsive materials on Kittie Corley, certify all agencies canvassed, produce all responsive materials, and certify all agencies that were canvassed in which no such responsive materials exist.

8. **Permission to file a set of interrogatories to the Alabama Attorney General. *See* Doc. 136-1 (Appendix A to Mr. Wilson's Renewed Fifth Motion for *Brady* Discovery).**

On June 29, 2025, Assistant Attorney General Richard Anderson obtained a signed affidavit from Kittie Corley in which she denied authoring the Corley letter. As noted *supra*, this affidavit marks a drastic shift in the State's position on the Corley letter's authenticity. *See also* Doc. 136, ¶¶ 82-94. It is necessary for Mr. Wilson and this Court to understand the conditions under which this Corley affidavit was obtained. Mr. Wilson requests the opportunity to serve Respondent with a set of interrogatories inquiring into the Attorney General's Office's previous communications with Kittie Corley, all communications between employees of the Attorney General's Office leading up to the visit to Ms. Corley during which the

affidavit was obtained, as well as during the visit itself, and any communications by employees of the Attorney General's Office with Ms. Corley during the visit.

9. Permission to depose Kittie Corley.

Given the conditions under which the Corley Affidavit was taken, its credibility remains dubious. Accordingly, all of the individuals who have knowledge of the authenticity of the Corley letter need to be deposed, including Kittie Corley herself.

10. Permission to depose Tony Luker.

Sgt. Luker was present when Joan Vroblick's attorney, Kalia Lane, turned the Corley letter over to DA Valeska. Sgt. Luker also conducted the search of Corley's cell during which he seized eight handwriting samples and interviewed Ms. Vroblick about the letter. Doc. 76-24 at PDF 16, Bates 3857. After comparing the Corley letter and the handwriting samples he seized from Corley's cell, he documented in his police report that he "believe[d] that the author of both documents are Catherine Nicole Corley." Doc. 76-24 at PDF 17, Bates 3858. He has never expressed any doubt about the authenticity of the Corley letter. He thus has intimate knowledge of the authenticity of the Corley letter, and Mr. Wilson requests permission to depose him.

11. Permission to depose Gary Maxwell.

Based on the handwriting samples Sgt. Luker seized from Kittie Corley's cell, U.S.P.S. handwriting expert Gale Bolsover concluded that Ms. Corley "probably wrote" the Corley letter. Doc. 76-24 at PDF 37, Bates 3878. Following the issuance of the handwriting report, Gary Maxwell moved for the Houston County Circuit Court to order Ms. Corley to provide fingerprints and palm prints for additional testing. Mr. Maxwell would therefore have intimate knowledge of whether the expert report was credited by the prosecution at the time. Mr. Maxwell has never challenged the letter's authenticity. He thus has knowledge of the authenticity of the Corley letter, and Mr. Wilson requests permission to depose Gary Maxwell.

12. Permission to depose Douglas Valeska.

DA Valeska has never expressed any doubt about the authenticity of the Corley letter, and it was his subordinate, Gary Maxwell, who moved for additional testing based on the handwriting report. He thus has intimate knowledge of the authenticity of the Corley letter, and Mr. Wilson requests permission to depose him.

13. Permission to depose Richard D. Anderson.

Up until the Corley Affidavit was obtained, Mr. Anderson had represented, to every court that has reviewed this case, that the Corley letter was authentic and that its authorship was not in dispute. He was also the person who obtained the Corley Affidavit. He thus has intimate knowledge of the authenticity of the Corley letter,

the facts on which he relied to represent to both state and federal courts that the letter was authentic and authored by Corley, and the conditions under which the Corley Affidavit was obtained. As a result, Mr. Wilson requests permission to depose Mr. Anderson.

14. Permission to depose Allen Hendrickson.

Investigator Hendrickson interrogated Kittie Corley during the January 29, 2005 and March 24, 2005 interrogations, and likely spoke with Kittie Corley during one or more interrogations that took place between the two interrogations already disclosed. Mr. Hendrickson was involved in the Hatfield murder investigation and also seemed to allude to the Corley letter without any indication that he doubted its authenticity. Doc. 136, ¶ 66.

Mr. Wilson requests permission to depose Mr. Hendrickson about Kittie Corley's involvement in the Hatfield murder, the contents of his conversations with Ms. Corley, any overlap between the Hatfield and Walker investigations, and his opinion on the authenticity of the Corley letter. Investigator Hendrickson is likely a witness regarding the authenticity of the Corley letter. Mr. Wilson requests permission to depose him.

15. Permission to depose Tommy Merritt.

Officer Merritt was present at and participated in the March 25, 2005 interrogation of Corley, during which investigator Hendrickson appeared to have

mentioned the Corley letter, and may have had additional interactions with Ms. Corley. Officer Merritt never indicated that Ms. Corley did not write the Corley letter. Doc. 136, ¶ 75. He was a critical investigator in the Hatfield murder: according to the *Slate* article on the Hatfield murder, he and Troy Silva led the Hatfield murder investigation (Doc. 114-26, p. 6). Doc. 136, ¶ 52. Mr. Wilson requests permission to depose him.

16. Permission to depose Joan Vroblick.

It is clear from the Vroblick police interview worksheet (Doc. 118-3; Doc. 118-4) that Kittie Corley had confided in Joan Vroblick. *See* Doc. 136, ¶¶ 78-79. Yet, based on the new Corley Affidavit, Ms. Corley now maintains that she never trusted Ms. Vroblick. Doc. 86-1, ¶ 6. If we were to believe Ms. Corley's allegations in the Corley Affidavit, then it is not clear how Ms. Vroblick knew enough about the Hatfield and Walker murders to provide the information reflected in the police interview worksheet and the allegedly forged Corley letter. Joan Vroblick is a witness regarding the authenticity of the Corley letter. Mr. Wilson requests permission to depose her.

17. Permission to depose Troy Silva.

Detective Troy Silva, along with an Officer Nick Check, conducted the interrogation of Ms. Vroblick that led to the Vroblick police interview worksheet disclosed by Respondent on December 7, 2023. Doc. 114-11 (unredacted) or Doc.

118-3 (redacted), p. 3. Detective Silva also led the Hatfield murder investigation along with investigator Tommy Merritt. Doc. 114-26, p. 6. What Detective Silva believed at the time of the Vroblick interview would shed significant light on how to interpret the contents of the police worksheet documenting the Vroblick interrogation (Doc. 118-3; Doc. 118-4) and the back of the Corley letter (Doc. 114-3; Doc. 114-4). As a result, Mr. Wilson requests the opportunity to depose Detective Silva.

18. Permission to depose Nick Check.

Officer Nick Check, along with Detective Troy Silva, conducted the interrogation of Ms. Vroblick that led to the Vroblick police interview worksheet. What Officer Check believed at the time of the Vroblick interview would shed significant light on how to interpret the contents of the police worksheet documenting the Vroblick interrogation (Doc. 118-3; Doc. 118-4) and the back of the Corley letter (Doc. 114-3; Doc. 114-4). As a result, Mr. Wilson requests the opportunity to depose Officer Check.

19. Permission to depose Kalia Lane.

Sgt. Tony Luker, in his police report, indicated that Ms. Vroblick had turned over the Corley letter first to her own attorney, Kaylia (or "Kalia") Lane, who then turned it over to District Attorney Douglas Valeska and Sgt. Luker. Doc. 136, ¶ 81.

Ms. Lane is the individual who would be most aware of how Ms. Vroblick obtained the letter. Petitioner thus requests permission to depose attorney Kalia Lane.

Respondent represented that Ms. Lane is now deceased. Doc. 147, p. 48. Mr. Wilson withdraws this request if Ms. Lane is indeed deceased.

20. Access to all law enforcement records for Petitioner to conduct his own review of the records, given Respondent's questionable track record of interpreting *Brady* disclosure obligations.

The procedural history of this case casts doubt on the Attorney General's ability to reliably determine whether evidence in its possession is favorable to Petitioner and should be produced under *Brady*. *See* Doc. 136, ¶¶ 140-05. Mr. Wilson thus requires "open file" access to all law enforcement files in the Walker and Hatfield murder investigations in order to conduct his own review of the existence of additional *Brady* material.

Dated this 12th day of January, 2026.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2026, the foregoing reply has been electronically filed with the Clerk of the Court and therefore a copy has been electronically served upon counsel for Respondent:

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