

OCT 07 2002

CLERK, SUPREME COURT  
BY \_\_\_\_\_

IN THE SUPREME COURT OF FLORIDA

CASE NO. SC79484

AILEEN WUORNOS

DEATH WARRANT  
COPY

by Next Friend - Florida Support - Director Sissel Egeland

EMERGENCY PETITION

Petitioner, CAPITAL CASE

EXECUTION SCHEDULED

FOR OCTOBER 9, 2002

AT 9:30 A.M.

vs.

STATE OF FLORIDA,

MICHAEL W. MOORE,

Secretary, Florida Department of Corrections,

and

Bradley D. Carter, Warden, Florida State Prison,

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MOTION FOR A STAY OF EXECUTION

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COMES NOW, FLORIDA SUPPORT by Director Sissel Egeland,

and files this Motion for Stay of Execution, filed on October 4, 2002.

On October 4, 2002, on behalf of Aileen Wuornos, next friend Florida Support by Director Sissel Egeland requests that this court grant an indefinite stay of execution to give Next Friend time and possibility to challenge the conclusion that Aileen Wuornos is competent and has voluntarily dismissed her appeals. Petitioner asks The Court for a Stay of Execution which would be of sufficient length in which to prepare the legal issues in support of Petitioner's claims of Aileen Wuornos' incompetency. Also requested is the appointment of Special Counsel who can assist Next Friend in order to get ethical, thorough, and professional psychiatric evaluation and observation of Aileen's borderline psychosis. Florida Support is a watch and support project for Florida death row inmates, which gives support to the Florida death row inmates, their victims, and the families and friends of the inmates. Florida Support has close contact with most of the Florida death row inmates and has a responsibility to alert Florida courts and officials when ethics related to serious life and death issues are at stake for individual clients. Florida Support has a special concern for the innocents and for the insane on Florida's death row.

As long as no close family has stepped forward to help act on her behalf, to secure borderline psychotic Aileen legal and psychiatric help in this traumatic situation, Florida Support has no other option than to ask the Florida Supreme Court to be accepted as "Next Friend" for Aileen Wuornos.

Aileen has been found sane according to an order by Governor Jeb Bush after 3 psychiatrists talked with her collectively for 30 minutes.

We question the procedures and methods used to find Aileen sane.

A thirty-minute interview with the subject is not a mental evaluation on which to decide life or death issues.

The situation described below ( Associated Press October 4, 2002 ) cannot be compared with what is professionally defined to be a psychiatric mental examination.

When a life is at stake, this becomes even worse.

"Gov. Jeb Bush ordered a mental exam, which took place last week.

Tanner, who watched the exam, said she was agitated with both Singhal and Bush for putting her through another mental evaluation. He said Wuornos was cognizant and lucid during the 30-minute interview.

Aileen has a long history of mental illness and she is diagnosed as being borderline psychotic.

She is a victim of serious abuse in childhood and may have been raped before the crime was committed.

At her trial for the murder of Richard Mallory, Wournos testified that she shot him only after he attempted to violently rape her. Police found "nothing dirty" on the victim and concluded that there was nothing to substantiate the defendant's tale of sexual assault. Had they simply run Mallory's name through the FBI's computer network, they would have known he served a decade behind bars for violent rape years before.

Wournos suffered a tragic, abusive upbringing, which resulted in borderline personality disorders. Her mother abandoned her as an infant, and her father served time in mental hospitals in several states as a deranged child molester. Eventually, her father, like her grandfather, committed suicide, and her grandmother died of liver failure from alcoholism. Wournos suffered from physical abuse as a child, and later told police she had sex with her brother at a very early age. During both the trial and the appeal, the court declined to find the statutory factor of extreme emotional disturbance.

Defense lawyer Billy Nolas is informing the public on October 4, 2002 about his concern ( Associated Press).

Billy Nolas, who represented Wournos in that trial, said she suffers from borderline personality disorder as a result of neglect and sexual abuse as a child.

"She is the most disturbed individual I have represented," said Nolas, who now practices law in Philadelphia.

"As she has gotten older and older, she has gotten worse and worse," said Nolas, who believes Wuornos is too mentally ill to comprehend what dropping her appeals and seeking death will mean.

"She is a like a kid," Nolas said, adding that she pouts and stomps around and doesn't want to deal with difficult situations.

Nolas, who refers to Wuornos as "Lee," said he believes Mallory raped Wuornos and that pushed her over the edge. Information on Mallory's prior history of sexual assault was withheld from defense attorneys, he said.

"Before that, she had no history of physical violence," Nolas said.

When she was convicted on Jan. 27, 1992, she shouted at the jury, "I'm innocent. I was raped! I hope you get raped! Scumbags of America!"

Two days later the jury recommended the death penalty, and the judge sentenced her the next day to die.

This observation from defense lawyer Billy Nolas was formed through years of personal knowledge and experience with Aileen.

In a letter to the Florida Supreme Court dated September 17, 2002,

Defense lawyer Raag Singhal informs the Florida Supreme Court that:

"Based upon the totality of my contacts with Ms. Wuornos, I have grave doubts about her mental condition and specifically whether she is competent to be executed."

These observations were also made by lawyer Singhal over an extended period of time, not 30 minutes.

And more :

"I am writing to simply ask that Ms. Wuornos be evaluated by a team of Court-ordered psychologists prior to any further proceedings in her cases."

And more to focus from Singhal's letter :

"In Court and at the jail, she exhibits bizarre behavior, laughing and crying at inappropriate times and obsessing on points having no importance to her cases. The specific claims she raises in her twenty-three page supplemental filing to Judge Buchanan on July 12, 2002, if untrue, appear to be evidence of delusional behavior."

And more:

"I am not an expert in psychology or psychiatry, but I write this letter because I am firmly convinced of Ms. Wuornos' mental illness."

The real question in Aileen's accusations about the prison conditions are if they are **DELUSIONAL** or **TRUE**.

In the lawsuit he's handling for Wuornos, she accuses prison guards of trying to harass her "to death" and drive her to suicide. In her 25-page handwritten court filing, Wuornos has accused the prison staff of tainting her food, spitting on it and serving her potatoes cooked in dirt.

The state Department of Corrections has rejected her allegations.

Wuornos, who calls herself a model prisoner, complained about eight sergeants and officers assigned to the women's death row unit at the Broward Correctional Institution after she dropped her death appeals. She accused the prison staff of waging psychological and physical warfare against her and wants the eight officers to be transferred "until my X," her shorthand for execution. She also wants the old staff returned.

A person with a borderline psychosis is not continuously openly psychotic, but may be psychotic in, for her, special traumatic situations.

In a 30 minute interview with many people attending, there is no chance that the psychiatrists may be able to find her psychotic dilemmas.

Aileen may be able to cognitively repeat the in-learned sentences she knows the psychiatrists want to be able to find her sane, without exposing

the deeper layer of emotional psychotic chaos underneath this superficial situation.

The situation offered for Aileen to decide her competency issues are below any international standard of decency and is contra to all knowledge about diagnostics in modern psychiatry as related to borderline patients.

What has been observed during these 30 minutes of conversation has NOTHING to do with the evaluation of sanity or insanity and competency or incompetency.

This is only a formal "show" to justify that she has been exposed to three psychiatry names, so that she can formally be allowed to be executed.

If we also should find that she was medicated under this "examination", the diagnosis has no meaning at all.

The diagnosis made in this situation CANNOT be trusted.

This Court should be competent and able to draw the ethical guidelines for the execution of the alleged insane in Florida.

(From AP news October 2, 2002)

"Singhal said Wednesday he was not surprised at the psychiatrists' findings but was disappointed Wuornos is set to be executed. He said he wished the evaluations had been "a whole movie and not just a snapshot," and that he still has the same concerns about Wuornos' mental competence."

The same three psychiatrists, by the same superficial methods, declared recently that Rigoberto Sanchez-Velasco understood the relationship

between his killing of a girl and his guilt for this crime and understanding why he was given the death penalty for this murder.

He was found competent to be executed and sane by the same "expert" team, using this definition of his cognitive understanding and his competency.

They even declared he had no major mental illness.

One may wonder how much Rigoberto Sanchez-Velasco really understood of his relationship to this crime and his death penalty, when his defense lawyer Craig DeThomasis the next morning presented the world with a handwritten letter written by Rigoberto the same night after this "mental snapshot", telling us:

Police said Sanchez-Velasco confessed to Kathy's murder after his arrest, and he also admitted the killing during his trial for the child's death. But he denied it in a statement issued after the execution by his lawyer.

"I did not commit the crime for which I will die. It does not matter who believes me and who won't believe me," said the statement.

The statement was written by Sanchez-Velasco during the night and handed to a Roman Catholic priest who was among his final death row visitors, said the lawyer, Craig DeThomasis of Gainesville.

"I don't know there is a case to be made that that there was an innocent man who is executed," the attorney said.

The definition of "understanding" by this three psychiatrist team is softly said, questionable.



This mental exam or mental "snapshot" was done shortly before Aileen's 30 minute "SANE" diagnosis is set.

We also question why this "expert" team, carefully picked only by the Governor's favorites, and to the public still unofficial by which criteria these individual psychiatrists were chosen, have not included the new information from Aileen Wuornos' defense lawyers - here defined as newly discovered evidences of her insanity.

And, why was there never an exchange of information between this team of "experts" and the informants of insanity observations both in the Wuornos and Sanchez-Velascos cases - informants that had important personal knowledge and closeness to the defendants over a period of time which extended the 30 minutes snapshot.

Only then would any psychiatrist be able to start on the work to find the defendants' sanity or insanity, and to conclude professionally, over time, on the legal question of competency.

The ethical guidelines of the AMA in capital cases leaves no doubt that the ethical standards are seriously violated in Florida in the case of Aileen Wuornos.

The Declaration of ethical standards for psychiatric practice of the World Medical Association approved in 1996, and amended in 2002, clearly

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states the guidelines to be used for psychiatrists, including the Americans and including the Floridians. This defines the question of professional psychiatric independency and the issues of conflict of interest.

"The psychiatrist, among whose patients are some who are severely incapacitated and incompetent to reach an informal decision, should be particularly careful of actions that could lead to the death of those who cannot protect themselves because of their disability."

The real question is who in Florida today is protecting Aileen Wuornos against her illness?

The responsibility for this life is now in the hands of each of the Florida Justices, even after the Governor has given his own conclusion.

Florida Supreme Court has a responsibility of its own to evaluate the methods and situations used to define competency in a life or death case, and in especially in a warrant situation.

Death is different.

Dixon v. State, 283 So.2d 1 (Fla. 1973).

The Florida Supreme Court has a responsibility for securing that no insane persons are being executed in Florida.

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Florida Support has a responsibility to remind the justices of the Florida Supreme Court about their responsibility to ensure by professional and legal standards that an insane person is not executed.

The methods disclosed to the public in this case are below any standard of professional ethics and probably also illegal related to international law.

Florida Support, by Director Sissel Egeland, begs this Court to approve Florida Support as Next Friend, so that Aileen Wuornos is provided with persons who have her best interest in mind, and who may be able to build up a trust situation with Aileen, necessary to make professional psychiatrists able to complete an ethical and thorough evaluation of her insanity based on guidelines for psychiatrists of today.

We also beg this court to appoint special counsel to assist us to help Aileen against her own illness, which makes her hurtable and unable to set up a defense against those forces that want her to kill herself to be loved.

Aileen Wuornos must not and cannot be executed in the present situation, based on this unethical legal and psychiatric quickstep.

We urge the Florida Supreme Court to offer Aileen Wuornos the professional help she is entitled to and to show her the real respect she deserves, and not let her illness decide her steps into death and finality.

We hereby ask the court to stay the execution.

10/04/2002 11:01 BRUCE R. MESSER JD PAGE 14

I HEREBY CERTIFY that a true copy of the foregoing motion has been furnished by facsimile transmission and U.S. Mail, first class postage prepaid, to all counsel of record this date, October 4, 2002.

Sissel Egeland

Sissel Egeland  
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Glandorf, Ohio 45848  
FAX 813-3544-809

copies provided to:

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7819 N.W. 228<sup>th</sup> Street  
Raiford, Florida 32026

Bradley D. Carter  
Florida State Prison  
7819 N.W. 228<sup>th</sup> Street  
Raiford, Florida 32026

The Honorable R. Michael Hutcheson  
Circuit Court Judge  
251 North Ridgewood Avenue  
Room 204  
Daytona Beach, Florida 32114

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October 4, 2002

The Honorable Thomas Hall  
Clerk of the Court  
Supreme Court of Florida  
500 South Duval Street  
Tallahassee, FL 32399-1927

**FILED**  
THOMAS D. HALL

OCT 07 2002

CLERK, SUPREME COURT  
BY \_\_\_\_\_

Re: Aileen Wuornos vs. State of Florida  
Case No. SC79484

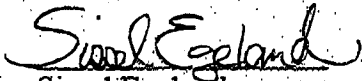
Dear Mr. Hall:

Enclosed for immediate filing in the above captioned case is:

Emergency Motion for a Stay of Execution.

Thank you for your assistance in this matter.

Respectfully Submitted,

  
Sissel Egeland  
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FAX 813-3544-809

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