

SUMMARY STATEMENT

Creech v. Randy Valley, Docket No. 52373

Thomas Eugene Creech appealed from the district court's order dismissing his application for a writ of habeas corpus. Creech was sentenced to death in 1995. Earlier this year, the State of Idaho attempted to execute Creech by lethal injection, but the process failed due to the inability to establish reliable peripheral intravenous access. The execution team spent nearly an hour attempting to establish venous access in various parts of Creech's body, including his arms, hands, and ankles, but each attempt resulted in vein collapse. After numerous failed attempts, the procedure was halted.

Creech applied for a writ of habeas corpus in the district court and argued that administering lethal injection drugs by using a central line catheter would constitute cruel and unusual punishment. The district court dismissed Creech's application with prejudice for failing to state a claim of constitutional violation. Creech appealed.

The Idaho Supreme Court affirmed the district court's dismissal. The Court held that Creech failed to establish that execution by a central line constitutes cruel and unusual punishment. The Court also held that Creech failed to state a claim under the Eighth Amendment because he failed to propose an alternative execution method.

******This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.******