

*CURRICULUM VITAE*

**GREGORY W. WIERCIOCH**  
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**TEACHING EXPERIENCE**

<b>UNIVERSITY OF WISCONSIN LAW SCHOOL</b> <b>CLINICAL ASSISTANT PROFESSOR</b> Madison, Wisconsin	2012 – present
Criminal Appeals Project	2012 – 2014
Wisconsin Innocence Project	2012 – present
Legal Assistance to Institutionalized Persons	2014 – present

**LEGAL EXPERIENCE**

<b>TEXAS DEFENDER SERVICE</b> <b>DIRECTOR, POST-CONVICTION PROJECT</b> Houston, Austin, San Francisco	1995 – 2012
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- Co-founded Texas Defender Service in 1995, after Congress defunded all the death penalty resource centers in the United States.

TDS is a Section 501(c)(3) nonprofit law firm dedicated to improving the quality of representation to those persons facing the death penalty or sentenced to death in Texas. TDS seeks to accomplish its mission in four ways: (1) post-conviction representation; (2) trial representation; (3) attorney training and consultation; and (4) policy reform, including issue advocacy, research, and public education.

- As Director of TDS's Post-conviction Project, responsible for developing the litigation strategy for two dozen capital habeas cases in which TDS staff attorneys provided direct representation.
- Consulted closely with appointed attorneys on state and federal capital post-conviction matters, including targeting cases that

involved issues with potential widespread impact or important issues of first impression.

- Intervened in numerous crisis cases, including those death row inmates abandoned by counsel as their execution dates approached.

**TEXAS RESOURCE CENTER**

1993 - 1995

**STAFF ATTORNEY**

Houston, Texas

- Represented indigent Texas death row prisoners and provided legal assistance to appointed counsel in state and federal post-conviction proceedings.

**UNITED STATES DISTRICT JUDGE JERRY BUCHMEYER** 1992 - 1993

**LAW CLERK**

Dallas, Texas

## **EDUCATION**

**WASHINGTON AND LEE UNIVERSITY SCHOOL OF LAW**

Lexington, Virginia

J.D., *cum laude*, 1992

**Honors:** Washington and Lee Law Review  
Articles Editor

Dean Roy L. Steinheimer Award (Best Note)  
*Eviction without Conviction: Public Housing  
Leasehold Forfeiture under 21 U.S.C. § 881, 48  
Wash. & Lee L. Rev. 1409 (1991).*

**UNIVERSITY OF NOTRE DAME**

South Bend, Indiana

B.A., Government, *cum laude*, 1986

## NOTABLE LITIGATION ACHIEVEMENTS

*Scott Panetti v. Quarterman*, 551 U.S. 930 (2007).

*Ex parte Marcus Druery*, 412 S.W.3d 523 (Tex. Crim. App. 2013).

*Ex parte Charles Hood*, WR-41,168-11 (Tex. Crim. App. Nov. 19, 2009).

*Ramon Mata v. Johnson*, 210 F.3d 324 (5th Cir. 2000).

*Eric Moore v. Quarterman*, 533 F.3d 338 (5th Cir. 2008) (*en banc*).

*In re Yokamon Hearn*, 376 F.3d 447 (5th Cir. 2004).

*Ramon Mata v. Johnson*, 99 F.3d 1261 (5th Cir. 1996).

*Juan Raul Garza v. Lappin*, 253 F.3d 918 (7th Cir. 2001).

## DEATH SENTENCES REVERSED

*Wayne East v. Johnson*, 123 F.3d 235 (5th Cir. 1997).

*Ex parte Willie Mack Modden*, 147 S.W.3d 293 (Tex. Crim. App. 2004).

*Eric Moore v. Quarterman*, 342 Fed. Appx. 65 (5th Cir. 2009) (op. on reh'g).

*Ex parte Brian Davis*, AP-76,263 (Tex. Crim. App. Nov. 18, 2009).

*Ex parte Charles Hood*, 304 S.W.3d 397 (Tex. Crim. App. 2010).

*Ex parte Marcus Druery*, 412 S.W.3d 523 (Tex. Crim. App. 2013).

*Steven Staley v. State*, 420 S.W.3d 785 (Tex. Crim. App. 2013).

## RECENT ORAL ARGUMENTS

*Scott Panetti v. Davis* (decision pending).  
Oral argument in death penalty case  
U.S. Court of Appeals for the Fifth Circuit.  
Dallas, Texas (Sept. 23, 2015).

*Scott Panetti v. Stephens*, 727 F.3d 398 (5th Cir. 2013).  
Oral argument in death penalty case  
U.S. Court of Appeals for the Fifth Circuit.  
New Orleans, Louisiana (June 4, 2013).

## CONFERENCE PRESENTATIONS

*At a Crossroads: The Future of the Death Penalty*  
Symposium  
University of Michigan Journal of Law Reform  
Ann Arbor, Michigan (Feb. 5, 2016)

*Litigating Ford Claims: A Procrustean Enterprise*  
Twelfth National Seminar on the Development and  
Integration of Mitigation Evidence in Death Penalty Cases  
Baltimore, Maryland (Apr. 9-12, 2015)

*Inside the Federal Capital Clemency Process*  
Federal Capital Habeas Project  
Indianapolis, Indiana (2011)

*Litigating Competency Claims*  
Fifteenth Annual National Habeas Corpus Seminar  
Cleveland, Ohio (2010)

*Understanding Rational Understanding:*  
*Litigating Competency Claims*  
Habeas Corpus Resource Center Training  
San Francisco, California (2010)

*Developing and Pleading Competency Claims*  
Habeas Corpus Resource Center Training  
San Francisco, California (2009)

*Process, Process, Process: Litigating Ford Claims after Panetti*  
Thirteenth Annual Federal Habeas Corpus Seminar  
St. Louis, Missouri (2008)

*Defending Death Row Inmates in Texas*  
Washington & Lee University School of Law  
Order of the Coif Lecture  
Lexington, Virginia (2007)

*Taking Advantage of Panetti: Litigating Execution Competency*  
Twelfth Annual National Habeas Corpus Seminar  
Nashville, Tennessee (2007)

*Panetti v. Quarterman: What Does It Mean?*  
University of Texas School of Law  
Capital Punishment Clinic  
Austin, Texas (2007)

*Competency in the Courts: Updates on the Law and the Science*  
NAACP Legal Defense and Education Fund  
Annual Capital Punishment Training Conference  
Warrenton, Virginia (2007)

*Panetti v. Quarterman: Lessons Learned*  
California Appellate Project  
San Francisco, California (2007)

*Litigating Execution Competency Claims*  
California Office of State Public Defender  
San Francisco, California (2007)

## **PUBLICATIONS**

*The Extraordinary Execution of Billy Vickers, the Banality of Death, and the Demise of Post-Conviction Review*, 13 Wm. & Mary Bill Rts. J. 521 (2004) (co-author).

*Eviction without Conviction: Public Housing Leasehold Forfeiture under 21 U.S.C. § 881*, 48 Wash. & Lee L. Rev. 1409 (1991).

## **OTHER ACHIEVEMENTS**

Drafted the standards for capital post-conviction counsel found in *Guidelines and Standards for Texas Capital Counsel* and adopted by the State Bar of Texas.

Testified before the Texas Legislature about the need for promulgating a statute setting out procedures for determining a prisoner's competency for execution.

## **HONORS**

Texas Defender Service (2015)  
Honored for improving the quality of justice in Texas.

Washington and Lee University School of Law, Order of the Coif (2002).