

# Death-row inmate dies in a barrage of bullets

## Utah firing squad executes man convicted of fatal 1985 courthouse shooting



Trent Nelson / AP

Ronnie Lee Gardner raises his restrained hand as he is sworn in before speaking at his commutation hearing at the Utah State Prison in Draper, Utah. Next to him is his attorney Andrew Parnes. Ronnie Lee Gardner was executed by firing squad after midnight Thursday.

by JENNIFER DOBNER

**AP** Associated Press

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SALT LAKE CITY — Death row inmate Ronnie Lee Gardner died in a barrage of bullets early Friday as Utah carried out its first firing squad execution in 14 years.

Shortly before the shooting, Gardner was strapped into a chair and a team of five marksmen aimed their guns at a white target pinned to his chest.

He was pronounced dead at 12:20 a.m.

Utah adopted lethal injection as the default execution method in 2004, but Gardner was one still allowed to choose the controversial firing squad option because he was sentenced before the law changed. He told his lawyer he did it because he preferred it — not because he wanted the controversy surrounding the execution to draw attention to his case or embarrass the state.

Some decried the execution as barbaric, and about two dozen members of Gardner's family held a vigil outside the prison as he was shot. There were no protests at the prison.

The executioners were all certified police officers who volunteered for the task and remain anonymous. They stood about 25 feet from Gardner, behind a wall cut with a gunport, and were armed with a matched set of .30-caliber Winchester rifles. One was loaded with a blank so no one knows who fired the fatal shot. Sandbags stacked behind Gardner's chair kept the bullets from ricocheting around the cinderblock room.

Gardner was sentenced to death for a 1985 capital murder conviction stemming from the fatal courthouse shooting of attorney Michael Burdell during a failed escape attempt. He was at the Salt Lake City court facing a 1984 murder charge in the shooting death of a bartender.

### **Last-minute appeals fail**

A flurry of last-minute appeals and requests for stays were rejected Thursday by the U.S. Supreme Court, the 10th U.S. Circuit Court of Appeals and Gov. Gary Herbert.

The Supreme Court turned down three appeals late Thursday, although one of its orders showed that two justices, Stephen Breyer and John Paul Stevens, would have granted Gardner's request for a stay.

"We are disappointed with the court's decisions, declining to hear Mr. Gardner's case," one of his attorneys, Megan Moriarty, said in a statement to The Associated Press. "It's unfair that he will be executed without a full and fair review of his case."

After a visit with his family, Gardner was moved from his regular cell in a maximum security wing of the Utah State Prison to an observation cell Wednesday night, Department of Corrections officials said.

On Thursday, they said Gardner was spent time sleeping, reading the novel "Divine Justice," watching the "Lord of the Rings" film trilogy and meeting with his attorneys and a bishop from the Mormon church. Gehrke said officers described his mood as relaxed.