

## Death row inmate asks DOJ to investigate

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ATLANTA (AP) -- A Georgia death row inmate's attorneys asked the Justice Department on Thursday to launch an investigation into whether state corrections officials violated federal law to secure a supply of a key death penalty drug.

The letter to U.S. Attorney General Eric Holder said the Georgia Department of Corrections did not register with the Drug Enforcement Administration when it imported its supply of sodium thiopental, a lethal injection sedative that has been in short supply even before the drug's sole U.S. manufacturer decided last month to stop producing it.

It also said the state should have filed a declaration with federal regulators when it imported the drugs from a British supplier in July 2010.

"The United States has strict drug import rules for a reason: To ensure drugs used for legitimate purposes are not adulterated, counterfeit, or diverted into the illicit market," said John Bentivoglio, who is representing death row inmate Andrew Grant DeYoung.

Department spokeswoman Kristen Stancil said the agency is reviewing the letter but offered no other response. Officials have said Georgia's stockpile of the drug is sound. And state attorneys have argued in court that similar arguments involving other death row inmates amount to a backdoor attempt to commute their sentences.

The call for an investigation is the latest in the legal assault scrutinizing Georgia's lethal injection procedure. A federal judge rejected a lawsuit earlier this month from another death row inmate who claimed the state's stockpile of sodium thiopental had expired and that using it would cause him to die in excruciating pain.

That lawsuit focused on Georgia's supply of sodium thiopental, citing state documents that claim the sodium thiopental is stored in vials labeled "Link Pharmaceuticals," a firm purchased five years ago by Archimedes Pharma Limited, both British companies.

No execution date has been set yet for DeYoung, who was convicted of the 1993 stabbing deaths of his parents and 14-year-old sister. But Bentivoglio said he's seeking the federal probe because illegally imported sodium thiopental "may be adulterated, counterfeit or otherwise ineffective" in providing sedation.

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