CAUSE NO: CR04003453-C

| | | |
|---|---|---|
| EX PARTE | § | IN THE DISTRICT COURT |
| | § | |
| JOHN HENRY RAMIREZ | § | 94TH JUDICIAL DISTRICT |
| | § | |
| TDCJ-ID: # 999544 | § | NUECES COUNTY, TEXAS |

**MOTION TO WITHDRAW ORDER SETTING EXECUTION**

COMES NOW the State of Texas, by and through its District Attorney for the 105th Judicial District of Texas, and files this Motion to Withdraw Order Setting Execution, and would show the Court as follows:

On the 8th day of December, 2008, in the 94th District Court of Nueces County, Texas, JOHN HENRY RAMIREZ was duly and legally convicted of the crime of Capital Murder and sentenced to death. All appeals and applications for writ having been exhausted, this Court on April 12, 2022, signed an order setting the execution date for October 5, 2022, and the Nueces County District Clerk signed a death warrant on that same date.

The undersigned District Attorney for Nueces County has the firm belief that the death penalty is unethical and should not be imposed on Mr. Ramirez or any other person while the undersigned occupies the office in question. The Assistant District Attorney who most recently moved for an execution date in this cause was not aware of my desire in this matter and did not consult me prior to moving for an execution date.

**PRAYER**

The State hereby requests that the Court issue an order withdrawing the order setting Ramirez's execution date and recall the death warrant.

Respectfully submitted,

/s/ *Mark Gonzalez*

_____

Mark Gonzalez
State Bar No. 24055565
District Attorney
105th Judicial District of Texas
901 Leopard, Room 206
Corpus Christi, Texas 78401
(361) 888-0410
FAX: (361) 888-0399
mark.gonzalez@nuecesco.com

**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing State's Motion to Withdraw Order Setting Execution has been e-served on April 14, 2022, on the Applicant's Attorneys, Mr. Seth Kretzer, at seth@kretzerfirm.com, and Mr. Eric Allen, at eric@ericallenlaw.com, and on the Office of Capital and Forensic Writs, Mr. Benjamin Wolff, at Benjamin.Wolff@ocfw.texas.gov.

/s/ *Mark Gonzalez*

_____

Mark Gonzalez