

IN THE DISTRICT COURT OF LANCASTER COUNTY, NEBRASKA

AUBREY TRAIL,

Plaintiff,

vs.

JIM PILLEN, GOVERNOR OF
NEBRASKA,

ROB JEFFREY, DIRECTOR OF
NEBRASKA DEPARTMENT OF
CORRECTIONS,

MIKE HILGERS, ATTORNEY
GENERAL OF NEBRASKA

Defendants.

CI 23- 2681

**PETITION FOR WRIT OF
MANDAMUS**

LANCASTER COUNTY
2023 AUG -7 PM 3:45
CLERK OF THE
DISTRICT COURT

COMES NOW Aubrey Trail, plaintiff in the above-entitled matter, and hereby moves this Court for writ of mandamus pursuant to Neb. Rev. Stat. § 25-2156 et seq. and moves the court to issue a writ for the issuance of a death warrant pursuant to Neb. Rev. Stat. § 29-2543. The plaintiff alleges as follows:

1. That the District Court of Saline County imposed a death sentence for the plaintiff on June 9, 2021, for first Degree Murder in Case Number CR 18-37.
2. That plaintiff is currently housed at Tecumseh State Correctional Institution by the Department of Corrections awaiting execution of his death sentence.
3. That the plaintiff does not wish to conduct any further litigation staying the execution of his sentence in either the Nebraska or Federal Courts.
4. That the Nebraska Supreme Court has affirmed the decision of the Saline County District Court and issued a mandamus denying the plaintiff's direct appeal on December 19, 2022.
5. That the plaintiff is requesting the defendants fulfill their ministerial duty to carry out the sentence imposed by the Saline County District Court and affirmed by the Nebraska Supreme Court.

WHEREFORE, the plaintiff asks this Court to issue a writ directing the defendants to petition the Nebraska Supreme Court for a execution date for the plaintiff's death sentence.


Aubrey Trail

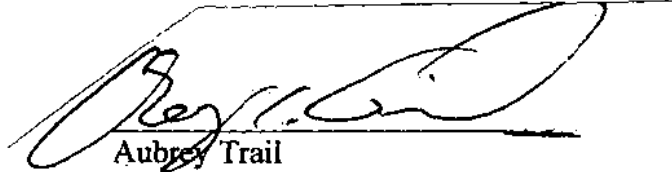
AN



002148824D02

A copy of the Petition for Writ of Mandamus for the parties to be served.

Type of service requested: Personal.

A handwritten signature in black ink, appearing to read "Aubrey Trail", written over a horizontal line.

Aubrey Trail

Tecumseh State Correction Institution
Inmate Number, 213318
PO BOX 900
Tecumseh, NE 68450