

# In the Indiana Supreme Court

Jeffrey Weisheit,  
Appellant,

v.

State of Indiana,  
Appellee.

Supreme Court Case No.  
10S00-1507-PD-413

Trial Court Case No.  
10C01-1008-MR-601



## Published Order

On August 28, 2026, the Court ordered Jeffrey Weisheit's death sentence to be executed on Thursday, November 5, before sunrise. Weisheit petitioned for clemency with the Indiana Parole Board on September 15. The Board set an October 15 deadline for the parties to submit written materials, with interviews to take place October 16 and 19.

On October 12, Weisheit filed two emergency motions in this Court seeking the following relief: (1) a transportation order to a medical imaging facility; and (2) an order postponing the execution and clemency proceedings by 14 days to allow Weisheit time to undergo brain scans for use in his clemency proceedings. The State opposes both motions.

Weisheit's motion correctly states that "[c]lemency is the exclusive and plenary power of the Governor," and he cites no authority that would allow this Court to postpone, reschedule, or otherwise control clemency proceedings. The executive branch maintains custody of Weisheit. If the Board or the Governor finds the medical evidence relevant, the executive branch maintains its own authority to transport him without a court order. Weisheit also indicates that this request is independent of (1) a separate anticipated request for a stay of execution accompanying a challenge to the method of execution; and (2) a stay request associated with a petition for leave to file a successive petition for post-conviction relief. As of the date of this order, neither request has been filed, nor has Weisheit initiated any proceeding that would confer upon this Court the authority to order Weisheit's transportation.

Being duly advised, the Court DENIES Weisheit's "Emergency Motion to Reschedule Execution and Clemency Proceedings" and "Emergency Motion for Transport Order to Medical Imaging Facility."

Done at Indianapolis, Indiana, on 10/22/2026.

Loretta H. Rush  
Chief Justice of Indiana

All Justices concur.