

Court: Man on death row for killing Corpus Christi officer can die

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CORPUS CHRISTI - Death row inmate Daniel Lee Lopez calls himself a “black sheep” because he never fought his death sentence.

While most sentenced to die spend years fighting for a successful appeal, Lopez spurned attorneys’ attempts to spare his life.

Lopez, 27, was convicted in 2010 of killing Corpus Christi Police Lt. Stuart Alexander while fleeing from officers during a high-speed chase. Alexander was placing strike strips on North Padre Island Drive near the Agnes Street exit to stop Lopez’s SUV when he was struck.

At his capital murder trial, Lopez asked for the death penalty. He has since filed handwritten motions on his own asking 117th District Judge Sandra Watts to expedite his execution. Despite his arguments, Lopez’s attorneys have filed motions to appeal his conviction. On average, convicts wait about 10 years on death row to be executed, according to the Texas Department of Criminal Justice statistics.

On Monday, Lopez got his wish.

The 5th U.S. Circuit Court of Appeals decided Lopez is competent to make his decisions and ruled no additional appeals will be allowed unless Lopez asks for it.

But he won’t, Lopez told the Caller-Times in an exclusive interview in August, while he waited for the court’s decision.

“Every time (a ruling) goes my way I get really excited,” he said.

The Court of Appeals will send a mandate to the trial court to set an execution date.

Houston attorneys James Gregory Rytting, David Dow and Jeffrey Robert Newberry were appointed to represent Lopez in his recent appeals and argued Lopez did not intend to kill Alexander. Dow is the founder of Texas Innocence Network, which works to stop executions and exonerate wrongfully convicted inmates.

“He (Lopez) is someone who honestly believes he’s done something he deserves some sort of punishment for, but he’s wrong — not that punishment,” Rytting said Tuesday. “This punishment is reserved for intentional homicides of the worst sort and this was an accident, granted it was reckless and he was running.”

Lopez has also maintained he didn’t purposefully kill Alexander. Lopez told the Caller-Times in prison he couldn’t see as he was driving because an officer sprayed his eyes with pepper spray.

“I accept my punishment. And it wasn’t on purpose. I killed a police officer because I tried escaping. And it was never intentional but I feel responsible. That’s why I’m ready to go,” he said.

Alexander was beloved in the department and respected among lawyers. Even Lopez’s trial attorney, Mark Woerner, admired Alexander. Woerner, now a County Court-at-Law judge, remembers a drunken driving case he was working on in which Alexander approached him to give information helpful to his client.

“You see something like that and you remember it,” Woerner said Tuesday. “I think he was a particularly fine officer.”

Last month, a highway marker in Alexander’s memory was unveiled at the location where he was killed and last year a portion of the highway was renamed the Peace Officers Memorial Highway. An Annville area park was also named for him in 2010.

Alexander was a 20-year veteran of the Corpus Christi Police Department. He is survived by his wife, son and grandchildren.

“Stuart was not just my husband. He was my best friend,” his wife, Vicky Alexander, said during Lopez’s trial. “We were looking forward to retiring and growing old together and now that’s not going to happen.”

Lopez had several drug and assault convictions before the killing and was on probation when he fled from police. He was also charged with sexual assault of a child related to an allegation he had sex with a teenager but the case was dismissed after his capital murder conviction.

“I just realize my whole life I was a mishap. What good did I do for my country or my state or my community?” Lopez said. “I was just a regular low life criminal. So why do I deserve to be here?”

Lopez attempted suicide twice as a child. He had his first child at 16 years old and never finished high school. At the time of the August interview, Lopez had six children younger than 11 years old.

“For my kids, I think it’s for the best,” Lopez said. “I think their mothers need to find a real father who’s going to be there for them and be able to help them through life because I’m never going to be able to do that. And for me to be executed, I think it’s going to be a relief.”

Lopez was a unique defendant to represent because he tried to get the death penalty, Woerner said. Lopez grinned at Alexander’s family in court and etched “cop killer” on his jail cell wall.

“He was doing whatever he could to make the jury not like him and want to give the death penalty,” Woerner said. “You can’t tell him ‘stop doing that or they’ll give the death penalty’ because he would do it some more. It was kind of a challenge dealing with him.”

He remains unusual, Woerner said, because most defendants who seek the death penalty change their mind while on death row.

Lopez said he thinks about the execution “all the time.” It will hurt, he thinks, but there’s no amount of pain that will be punishment enough for killing a police officer, Lopez said.

He thinks there is a Heaven and Hell, though he said he isn’t sure where he’ll go.

And he thinks his death will be best for everyone — his family and Alexander’s — to move on.

“I just want to be forgotten,” he said.

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