

No. 06-5860

DEATH PENALTY CASE
Execution Scheduled: June 28, 2006

IN THE
UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

LINDA MARTINIANO
Next Friend for Paul Reid
Petitioner-Appellee

v.

RICKY BELL
Respondent-Appellant

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

MOTION TO EXPEDITE DISPOSITION OF THE
MOTION TO VACATE STAY
OF EXECUTION OF DEATH SENTENCE

On June 27, 2006, the United States District Court for the Middle District of Tennessee entered a stay of the June 28th execution of Paul Dennis Reid, Jr., set by order of the Tennessee Supreme Court entered September 26, 2005. The district court, acting under the authority of this Court in *Kirkpatrick v. Bell*, No. 03-5526, 64 Fed. Appx. 495 (6th Cir. May 5, 2003), stayed Reid's execution approximately 12 hours before the scheduled time of 1:00 a.m. The State expeditiously moved this Court for an

order vacating the stay, and the appellee promptly filed a response in opposition. However, in the late evening hours of June 27, 2006, counsel for the State was advised that the panel would not issue a ruling prior to 1:00 a.m. on June 28, 2006.

The State is now approximately 10 hours into a 24-hour execution order. Therefore, the Warden has directed all personnel involved in the execution process to stand ready to carry out the September 2005 order of the Tennessee Supreme Court beginning at 12:00 p.m. CDT. The State thus respectfully requests that the Court expedite disposition of the current motion to vacate.

Respectfully submitted,

PAUL G. SUMMERS
Attorney General & Reporter



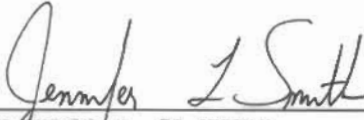
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was served by first class mail, postage prepaid, and by email, to Henry Martin, Office of the Federal Public Defender, 810 Broadway, Suite 200, Nashville, Tennessee, 37203, on this, the 28th day of June, 2006.



JENNIFER L. SMITH
Associate Deputy Attorney General