

**IN THE SUPREME COURT OF TENNESSEE
NASHVILLE DIVISION**

STATE OF TENNESSEE

V.

PAUL DENNIS REID

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)
)
)
)

**No. M2003-00539-SC-DDT-DD
Filed: October 25, 2007**

NOTICE OF FILING

COMES NOW, Paul Dennis Reid, by counsel, and hereby gives notice of filing the attached exhibits 1-8 referenced in his Motion for Stay of Execution filed on October 24, 2007. The failure to attach the exhibits was inadvertent. Counsel apologizes for any inconvenience.

Respectfully Submitted,

Thomas F. Bloom
B.P.R. #11950
911 Marengo Lane
Nashville, Tennessee 37204
(615) 292-9053

Attorney For Appellant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Notice Of Filing was placed in the United States Mail, postage pre-paid, to Ms. Jennifer Smith, Assistant Attorney General, 425 Fifth Avenue North, Nashville, Tennessee, 37243 on this the ____ day of October, 2007.

EXHIBIT 1

(ORDER LIST: 551 U.S.)

THURSDAY, SEPTEMBER 27, 2007

ORDER IN PENDING CASE

07A272 TURNER, CARLTON A. V. TEXAS

The application for stay of execution of sentence of death presented to Justice Scalia and by him referred to the Court is granted pending the timely filing and disposition of a petition for a writ of certiorari. Should the petition for a writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for a writ of certiorari is granted, the stay shall terminate upon the issuance of the mandate of this Court.

EXHIBIT 2

(ORDER LIST: 552 U.S.)

WEDNESDAY, OCTOBER 17, 2007

ORDER IN PENDING CASE

07A304 EMMETT, CHRISTOPHER S. V. JOHNSON, DIR., VA DOC, ET AL.

The application for stay presented to The Chief Justice and by him referred to the Court is granted. The execution of sentence of death is stayed pending final disposition of the appeal by the United States Court of Appeals for the Fourth Circuit or further order of this Court.

EXHIBIT 3

SUPREME COURT OF ARIZONA

STATE OF ARIZONA,)
) Arizona Supreme Court
) No. CR-90-0323-AP
 Appellee,)
)
 v.) Maricopa County Superior
) Court
) No. CR-90-00066
 JEFFREY TIMOTHY LANDRIGAN aka)
 JEFFREY DALE PAGE,)
)
 Appellant.)
)

O R D E R

On September 25, 2007, this Court issued a warrant of execution in the captioned case. On that same day, the United States Supreme Court granted certiorari in *Baze v. Rees*, No. 07-5439, 2007 WL 2075334 (Sept. 25, 2007), to consider whether the use of a lethal injection procedure to conduct an execution violates the Eighth Amendment to the United States Constitution.

Defendant filed a Motion to Stay Execution on September 28, 2007, contending that the United States Supreme Court's grant of certiorari review of one of the issues raised by Defendant, among other reasons, provides a basis sufficient to justify a stay of execution. The State has filed a response to that motion.

On October 4, 2007, Defendant filed a Petition for Post-Conviction Relief in the Maricopa County Superior Court, pursuant to Arizona Rule of Criminal Procedure 32. Defendant then filed his Second Supplement to Motion to Stay Landrigan's Execution with this Court on October 5, 2007.

The Court has considered all documents filed in this matter. Therefore,

IT IS ORDERED treating Defendant's October 5, 2007 Second Supplement to Motion to Stay Landrigan's Execution as an application for stay filed pursuant to Arizona Revised Statutes section 13-4234.J (2000 & Supp. 2006).

IT IS FURTHER ORDERED, in light of the grant of certiorari in *Baze v. Rees*, granting Defendant's application for stay of execution. The stay will remain in effect until further Order of this Court.

DATED this _____ day of October, 2007.

Ruth V. McGregor
Chief Justice

EXHIBIT 4

IN THE SUPREME COURT OF THE STATE OF NEVADA

AMERICAN CIVIL LIBERTIES UNION
OF NEVADA; MARIO DE LA ROSA;
AND AHORA NEWSPAPER,
Petitioners,

vs.

HOWARD SKOLNIK, DIRECTOR,
NEVADA DEPARTMENT OF
CORRECTIONS; AND NEVADA
DEPARTMENT OF CORRECTIONS,
Respondents.

No. 50354

FILED

OCT 15 2007

JANETTE M. BLOOM
CLERK OF SUPREME COURT
BY *J. Chavels*
CHIEF DEPUTY CLERK

ORDER GRANTING STAY AND ORDERING BRIEFING

This original petition for writ of mandamus or prohibition seeks an order of this court "enjoining the Director of the Nevada Department of Corrections" from carrying out all executions "under the Director's present lethal injection protocol," including the execution presently scheduled for this date, Monday, October 15, 2007, at 8:30 pm.

This court having conducted an emergency hearing on the matter, and determined that further briefing and consideration is warranted, we hereby stay all pending warrants of execution, including the execution of William Castillo, currently scheduled for tonight, Monday, October 15, 2007, at 8:30 p.m., pending this court's consideration and resolution of this writ petition.¹

¹We note that the only currently pending warrant of execution is the Castillo execution. Although Chief Justice Maupin, Justice Gibbons and Justice Saitta all sat in district court proceedings involving Castillo's underlying judgment of conviction, the court has determined that all three justices have a duty to sit in this matter and that their recusal from
continued on next page . . .

Petitioners shall have 20 days from the date of this order within which to file and serve an opening brief. In addition to the issues raised in the petition, petitioners shall address whether they have standing to bring the instant petition. Respondents shall have 20 days from the filing and service of the opening brief within which to file and serve an answering brief. Petitioners shall have 20 days from the service of the answering brief within which to file and serve a reply brief. Upon completion of briefing, the clerk of this court shall schedule oral argument before the en banc court on the next available oral argument calendar.

It is so ORDERED.

Maupin, C.J.
Maupin

Gibbons, J.
Gibbons

Hardesty, J.
Hardesty

Parraguirre, J.
Parraguirre

Douglas, J.
Douglas

Cherry, J.
Cherry

Saitta, J.
Saitta

... continued

consideration of this original writ proceeding is not warranted. See Ham v. District Court, 93 Nev. 409, 566 P.2d 420 (1977).

EXHIBIT 5



SUPREME COURT OF GEORGIA
Case No. S08W0263

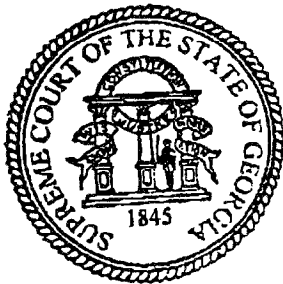
Atlanta

OCT 18 2007

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed:

JACK E. ALDERMAN v. HILTON HALL, WARDEN

It appearing that the above-styled application for a certificate of probable cause raises the issue of the constitutionality of lethal injection as the method by which a capital sentence may be carried out, that that issue is presently before the Supreme Court of the United States (see Baze v. Rees, __ SC __ (2007)), that that Court has stayed an execution pending final disposition of an appeal in which lethal injection is challenged (see Emmett v. Johnson, __ SC __, 2007 WL 3018923 (Stay granted October 17, 2007)), and that the issue "could not reasonably have been raised" during the time Applicant's last state habeas petition was pending (OCGA § 9-14-51), the application for a stay of execution is hereby granted until further order of this Court. A decision as to the grant or denial of the application for certificate of probable cause is reserved for further consideration.



SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I hereby certify that the above is a true extract from
the minutes of the Supreme Court of Georgia
Witness my signature and the seal of said court hereto
affixed the day and year last above written.

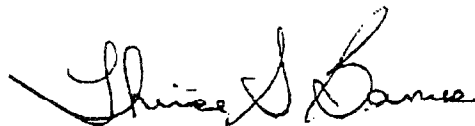
 Clerk

EXHIBIT 6



SUPREME COURT OF GEORGIA
Case No. Case No. S08W0267

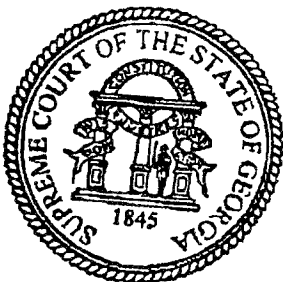
Atlanta October 22, 2007

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

CURTIS OSBORNE v. HILTON HALL, WARDEN

It appearing that the above-styled application for a certificate of probable cause raises the issue of the constitutionality of lethal injection as the method by which a capital sentence may be carried out, that that issue is presently before the Supreme Court of the United States (see Baze v. Rees, ___ SC ___, 2008 WL 2075334 (Sept. 25, 2007)), and that that Court has stayed an execution pending final disposition of an appeal in which lethal injection is challenged (see Emmett v. Johnson, ___ SC ___, 2007 WL 3018923 (Oct. 17, 2007)), the application for a stay of execution is hereby granted until further order of this Court. A decision as to the grant or denial of the application for certificate of probable cause is reserved for further consideration.



SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I hereby certify that the above is a true extract from the minutes of the Supreme Court of Georgia
Witness my signature and the seal of said court hereto affixed the day and year last above written.

Theresa L. Lane, Clerk

EXHIBIT 7

TEXAS COURT OF CRIMINAL APPEALS



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Case # WR-61,600-02 -> Event: MOT STAY EXEC DISP

[CaseMail](#)

Event Information:

Event Type: MOT STAY EXEC DISP
Description: No Description Available.
Date: 10/2/2007
Disposition: GRANT/ORIGSE
Opinion Written:

Opinions Related to this Event:

Date Issued

No records returned.

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Case Information:

Case Number: WR-61,600-02
Date Filed: 10/2/2007
Case Type: 11.071
Style: CHI, HELIBERTO
v.:

Case Events:

Date	Event Type	Description
 10/2/2007	11.071 WRIT RECD	Art. 11.071 - Application For Counsel
 10/2/2007	WRIT SUBMITTED	Art. 11.071 - Application For Counsel
 10/2/2007	MOT STAY EXEC RECD	No Description Available.
 10/2/2007	MOT STAY EXEC DISP	No Description Available.

Calendars:

Set Date	Calendar Type	Reason Set
 10/2/2007	PENDNG	SUBMITTED
 10/2/2007	HOLD	TC/ANSWER

Parties:

Party	Party Type
 CHI, HELIBERTO	Applicant (Writs)/Appellant...


Court of Appeals Case Information:

COA Case Number:
COA Disposition:
Opinion Cite:
Court of Appeals District:

Trial Court Information:

Trial Court:
County:
Case Number:
Judge:
Court Reporter:

EXHIBIT 8

Source: [Command Searching](#) > News, All (English, Full Text) Terms: "lethal injection" and florida and date=2007 ([Edit Search](#) | [Suggest Terms for My Search](#)) Select for FOCUS™ or Delivery

Court weighs fairness of death penalty steps; The state Supreme Court is considering the fairness of both the lethal injection process and of keeping secret the identities of officials who carry out the process. The Miami Herald October 12, 2007 Friday

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The Miami Herald

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The Miami Herald

October 12, 2007 Friday

SECTION: B; Pg. 6

LENGTH: 693 words

HEADLINE: Court weighs fairness of death penalty steps; The state Supreme Court is considering the fairness of both the **lethal injection** process and of keeping secret the identities of officials who carry out the process.

BYLINE: MARC CAPUTO, mcaputo@MiamiHerald.com

BODY:

In the windowless death chamber of stone-faced wardens, hidden executioners and moon-suited medical officials, no sun shines in when gurney-strapped convicted killers are lethally injected.

It will likely remain that way, judging by the questions asked by **Florida's** Supreme Court justices during oral arguments Thursday. They indicated they'll likely uphold **Florida's** death penalty and rules that shield the identities and records of those doing the injections.

However, the justices suggested that the state would not be executing any inmates anytime soon, as the U.S. Supreme Court considers a Kentucky case over whether the three-drug **lethal-injection** cocktail used there, in **Florida** and in 35 other states violates the Eighth Amendment's safeguards against cruel and unusual punishment.

That means killer-pedophile Mark Dean Schwab, scheduled for a Nov. 15 execution, and Ian Deco Lightbourne will wait longer on Death Row, regardless of the **Florida** justices' decisions in the cases, both of which were argued Thursday.

Florida's leading death penalty case, Lightbourne, didn't focus on the lethal cocktail he would be injected with, but on records and abilities of those giving the injections -- an issue that came to the forefront with the botched execution of Miami killer Angel Diaz, who took 34 minutes to die Dec. 13.

Lightbourne's attorney, Susan Myers Keffer, said other states have less secrecy and that **Florida** should be more open about who's sticking needles into inmates.

"We don't know these people's personnel records and their employment. We don't know if they are making mistakes in their employment, if they've been cited for problems in their work file," she said. "We don't know what any of their background is, if they've ever had any complaints filed against them." But Justice Harry Lee Anstead repeatedly said he had trouble understanding the thrust of her arguments. He said he was "having a lot of difficulty" with the idea that the court could "impose that kind of supervision," or order that Keffer could take depositions and inspect the files of the injectors, because it could intrude on the powers of the executive branch.

CHANGES TO PROCESS

The justices seemed content that the state Department of Corrections had changed its procedures for **lethal injections** after the needles were improperly inserted in Diaz's arms. And though **Florida** shoots enough anesthetic to knock an inmate out -- and perhaps kill him -- it still took the grimacing Diaz twice as long to die than any other condemned prisoner. In the wake of that execution, DOC announced changes.

The first part of the procedure remains the same: The injector -- called a "sticker" by Justice Charlie T. Wells -- puts the needles in, and the executioner then injects the first drug, sodium pentothal, to knock the inmate out.

Now, however, the executioner must pause as a warden then approaches the condemned, brushes his eyelids for a reaction, jostles him and yells his name -- a period called the "shake and shout."

If the inmate is determined to be knocked out, the paralytic drug pancuronium bromide is then injected, followed by potassium chloride to stop his heart.

"My only concern, and I don't know if it's a constitutional concern . . . is the process of assessing consciousness has not been formalized in any document," said Justice Barbara Pariente. "How do we ensure that that process is going to be competently performed?"

STATE'S POSITION


The state's lawyer, Kenneth S. Nunnally, said the warden is trained in CPR and that the "shake and shout" can competently "be performed by a layperson."

Nunnally added that "**Florida's** procedures will meet any standards [the U.S. Supreme Court] may possibly choose to apply." Asked Anstead: "What is the urgency in having an execution when we know the U.S. Supreme Court is going to shed light on this and there is at least some possibility that we may be out of kilter?"

Nunnally pushed for executions to proceed, noting **Florida** was "in front of other states" on proper death-sentence procedures.

Said Anstead: "We're in front of other states apparently after what has been termed a botched execution."

LOAD-DATE: October 12, 2007

Source: [Command Searching](#) > News, All (English, Full Text) 

Terms: "**lethal injection**" and florida and date=2007 ([Edit Search](#) | [Suggest Terms for My Search](#))

View: Full

Date/Time: Tuesday, October 16, 2007 - 2:12 PM EDT