

FILED

MAR 31 2000

LEONARD GREEN, Clerk

**No. 96-6662
No. 00-5367**

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

PHILIP R. WORKMAN,
Petitioner - Appellant)
v.)
RICKY BELL, Warden,
Respondent - Appellee)

**No. 96-6662
ORDER**

IN RE: PHILIP R. WORKMAN,)
Movant)

**No. 00-5367
ORDER**

Before: NELSON, RYAN, and SILER, Circuit Judges

The petitioner/movant in these matters is a Tennessee prisoner under sentence of death, whose execution is scheduled for Thursday, April 6, 2000, at 1:00 A.M. This court had previously affirmed the judgment of the district court denying his application for a writ of habeas corpus.

Petitioner has now filed with the court requests for a variety of reliefs, including:

1. A March 6, 2000 request that the court reopen the case and order that he be granted an unconditional writ of habeas corpus
2. A March 24, 2000 motion for a stay of execution
3. A March 24, 2000 motion to supplement the record with a videotape containing two interviews of witness Harold Davis.

In addition to the above pleadings, on March 24, 2000 the petitioner also filed an application for leave to file a second habeas corpus petition pursuant to 28 U.S.C. §2244(d)(2); that petition has been assigned docket number 00-5367. At the same time he filed a motion requesting that the court declare §2244(b) inapplicable to the claims presented in the application for leave to file the second habeas petition. Along with these pleadings the petitioner requested a stay of execution and supplementation of the record.

The court has given careful attention to each of petitioner's requests for relief, including in its review consideration of the thorough memoranda presented in support of these requests and the responses of the State of Tennessee opposing them. It is the conclusion of the court that petitioner has not made such showing as would entitle him to the relief he seeks.

IT IS THEREFORE ORDERED that each of the motions, requests, and applications filed by the petitioner is **DENIED**, such denial being without prejudice to petitioner's seeking any other relief to which he may be entitled.

ENTERED BY ORDER OF THE COURT



Leonard Green
Clerk of Court