

IN THE CIRCUIT COURT FOR HARDEMAN COUNTY, TENNESSEE
AT BOLIVAR

STATE OF TENNESSEE)

v.)

STEPHEN HUGUELEY,
Defendant.)

NO. 6665

DEATH PENALTY CASE

PRO SE MOTION FOR STAY OF EXECUTION

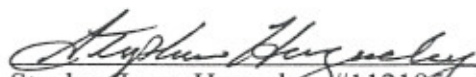
Now comes Petitioner, Stephen Lynn Hugueley, and moves this Honorable Court for an order pursuant to Tenn. Code Ann. § 40-30-120(a) staying his execution pending the resolution of the instant post-conviction action. That statute provides:

“Upon the filing of a petition for post-conviction relief, the court in which conviction occurred shall issue a stay of execution date which shall continue in effect for the duration of any appeals or until the post-conviction action is other wise final.”

Id.

Mr. Hugueley is filing his *pro se* post-conviction petition contemporaneously with this motion. The petition complies with the requirements of the post-conviction statute and Tenn. Sup. Ct. Rule 28. The legislature clearly mandates the immediate issuance of a stay of execution by the court of conviction upon the filing of such a petition.

Respectfully submitted,


Stephen Lynn Hugueley, #112195
Brushy Mountain Correctional Complex
HSA
P. O. Box 1000
Petros, TN 37845

CERTIFICATE OF SERVICE

I certify that I gave a copy of this motion to federal public defender^{agent} on the 20th day of July, 2006 to deliver, first class and postage prepaid, to Elizabeth T. Rice, District Attorney General for the 25th Judicial District, 302 Market Street, Somerville, TN 38068.


Stephen Lynn Hugueley