

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

FILED

2009 JUN 25 PM 1:44

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

IN RE: CIVIL CASES SEEKING STAY
OF DEATH WARRANT AND/OR
CHALLENGING METHOD OF EXECUTION
IN STATE DEATH PENALTY CASES

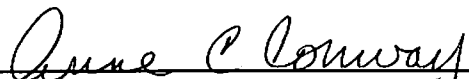
Case No.

6-09-mc-90-ORL-22

ORDER

This cause is before the Court *sua sponte* regarding assignment of civil cases seeking a stay of execution or challenging the method of execution in state death penalty cases. Upon receipt of any civil action seeking to stay an execution or challenging the method of execution filed in any division, the Clerk is directed to search the Plaintiff's/Petitioner's name for previous habeas corpus filings. If a previous habeas case has been filed in this district, the Clerk shall forthwith transfer the civil case to the division within the Middle District of Florida where the previous habeas action was or is being addressed. Further, the civil case should be assigned to the Judge to whom the original habeas action was assigned. If the assigned Judge is no longer an active Judge in the Middle District of Florida, the case should be transferred to the division where the habeas action was or is being addressed and be assigned according to historical divisional case transfers and reassignments or from a random rotating death penalty assignment list. The transferring Clerk should ensure that all appropriate personnel in the transferee division are notified of the transferred case and the need for immediate action by the Court.

DONE AND ORDERED at Orlando, Florida, this 25th day of June,
2009.



ANNE C. CONWAY
Chief, United States District Judge

ss

Copies to:

Division Manager, Ft. Myers Division
Division Manager, Jacksonville Division
Division Manager, Ocala Division
Division Manager, Orlando Division
Supervisors, Tampa Division