ORIGINAL

IN THE COURT OF CRIMINAL APPEALS
OF THE STATE OF OKLAHOMA

FILED
IN COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA
SEP 22 2015
MICHAEL S. RICHIE
CLERK

RICHARD GLOSSIP	)	
	)	
Petitioner,	)	
	)	
vs.	)	
	)	**Case No. PCD-2015-820**
	)	
THE STATE OF OKLAHOMA,	)	**District Court of Oklahoma County**
	)	**Case No: . CF-97-256**
Respondent.	)	

MOTION PURSUANT TO TITLE 22, § 1001.1, OKLAHOMA STATUTES

Petitioner, Richard Glossip, asks that this Court rescind that portion of its September 16, 2015 Order that resets the execution date for September 30, 2015.

AS GROUNDS IN SUPPORT:

1. On September 16, 2015, this Court entered a stay of execution in this case.

2. Under Oklahoma law, a new execution date can only be set "after the dissolution of the stay of execution" or "after the vacation of the stay of execution." § 1001.1 (D)(E) & (F).

3. In its September 16, 2015, stay Order, this Court reset the execution for September 30, 2015.

4. This Order violates state law. First, a new execution date cannot be set before a stay is dissolved. Id.

5. Second, after a stay is dissolved or vacated, a new execution is, by operation of law, set "sixty (60) days" or "thirty (30) days" after the "dissolution of the stay of

execution " (id.), not fourteen (14) days after.

6. Following the statute would permit an orderly presentation and evaluation of claims.

WHEREFORE, the Applicant respectfully requests that the Court rescind that portion of its September 16, 2015, Order resetting an execution date in violation of state statute.

Respectfully submitted,

Mark Henricksen

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CERTIFICATE OF SERVICE

I hereby certify that on September 22, 2015, a true and correct copy of the foregoing Motion Pursuant to Title 22, § 1001.1, Oklahoma Statutes was delivered to the Office of the Clerk of the Court to be delivered to the office of the Attorney General.

Mark Henricksen

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