

OCT - 1 2015

IN THE COURT OF CRIMINAL APPEALS OF THE STATE OF OKLAHOMA

MICHAEL S. RICHIE  
CLERK

RICHARD EUGENE GLOSSIP,  
JOHN MARION GRANT, and  
BENJAMIN COLE,

Appellants,

vs.

STATE OF OKLAHOMA,

Appellee.

Case Nos. D-2005-310 (Glossip)  
D-2000-653 (Grant)  
D-2004-1260 (Cole)

**STATE'S NOTICE AND REQUEST  
FOR STAY OF EXECUTION DATES**

COMES NOW E. Scott Pruitt, Attorney General of the State of Oklahoma, and provides the Court the following notice regarding scheduled execution dates in the above-styled and numbered cases.

The following execution dates are currently scheduled: October 7, 2015 - execution of Benjamin Cole; October 28, 2015 - execution of John Marion Grant; and November 6, 2015 - Richard Eugene Glossip. With the exception of the execution date for Glossip, these dates were scheduled by this Court after the Supreme Court issued its opinion in *Glossip v. Gross*, \_\_U.S. \_\_, 135 S. Ct. 2726, 2736, 192 L. Ed. 2d 761 (2015), finding the method of execution used by the State of Oklahoma constitutional. On September 30, 2015, Governor Mary Fallin issued an Executive Order 2015-42 rescheduling Glossip's execution due to the Oklahoma Department of Corrections (ODOC) receiving potassium acetate rather than potassium chloride, the third drug to be utilized in the execution protocol.

Due to the events of September 30, 2015, and the imminence of the above-referenced executions, the Office of the Attorney General needs time to evaluate the events that transpired on September 30, 2015, ODOC's acquisition of a drug contrary to protocol, and ODOC's internal procedures relative to the protocol. The State has a strong interest in ensuring that the execution protocol is strictly followed. Therefore, the Office of the Attorney General requests that all three executions be stayed indefinitely.

The above considered, the Office of the Attorney General respectfully requests this Court stay the execution dates for the above listed inmates.

**Respectfully submitted,**

**E. SCOTT FRUITT  
ATTORNEY GENERAL OF OKLAHOMA**

  
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**ATTORNEYS FOR APPELLEE**

**CERTIFICATE OF MAILING**

On this 1<sup>st</sup> day of October, 2015, a true and correct copy of the foregoing was mailed to:

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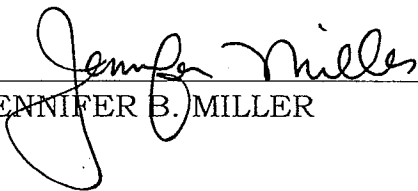
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