

IN THE COURT OF CRIMINAL APPEALS OF THE STATE OF OKLAHOMA

RICHARD EUGENE GLOSSIP,

Appellant,

V.

THE STATE OF OKLAHOMA,

Appellee.

NOT FOR PUBLICATION

Case No. D-2005-310

FILED
IN COURT OF CRIMINAL APPEALS
STATE OF OKLAHOMA

JUL - 8 2015

MICHAEL S. RICHIE
CLERK

ORDER SETTING EXECUTION DATE

Richard Eugene Glossip is incarcerated at the Oklahoma State Penitentiary pursuant to a conviction and sentence of death for the crime of first degree murder in Oklahoma County District Court case number CF-1997-244. See *Glossip v. State*, 2007 OK CR 12, 157 P.3d 143. A prior execution date was set for January 29, 2015; however, on January 28, 2015, the United States Supreme Court issued an order staying Glossip's execution in *Glossip v. Gross*, Case No. 14-7955. On June 29, 2015, the United States Supreme Court issued an Opinion in *Glossip v. Gross*, ___ S.Ct. ___, 576 U.S. ___, ___ L.Ed.2d ___, 2015 WL 2473454 (2015), which, in effect, dissolved the stay and allows the State to proceed with the execution.

The State, therefore, pursuant to 22 O.S.2011, § 1001.1, requests an execution date and suggests certain dates in order for the Oklahoma Department

of Corrections to abide by their written protocol.¹ Glossip has filed a response to the State's request, arguing that the United States Supreme Court's Opinion is not "certified as final," because that Court's rules allow time to file a petition for rehearing. We disagree with his interpretation of the rules. Moreover, 22 O.S.2011, § 1001.1(B), provides that "[t]he filing of a petition for rehearing in any federal court shall not serve to stay the execution dates or time restraints" Sufficient time, however, will be afforded in the setting of the execution date, so that Glossip may file for rehearing with the United States Supreme Court, if he so chooses.

Therefore, we hereby order the execution of the judgment and sentence of death be carried out. The execution of Richard Eugene Glossip shall be set for September 16, 2015, pursuant to 22 O.S.2011, § 1001.1(E).

IT IS SO ORDERED.

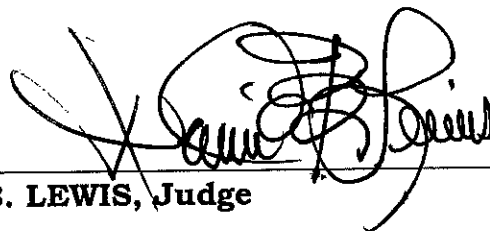
WITNESS OUR HANDS AND THE SEAL OF THIS COURT this 30th day
of July, 2015.

Clancy Smith
CLANCY SMITH, Presiding Judge

Gary L. Lumpkin
GARY L. LUMPKIN, Vice Presiding Judge

Arlene Johnson
ARLENE JOHNSON, Judge

¹ Specific dates requested for the setting of executions for three different inmates are August 5, 2015, August 26, 2015, September 16, 2015, October 7, 2015, and October 28, 2015, with only one execution set per date.

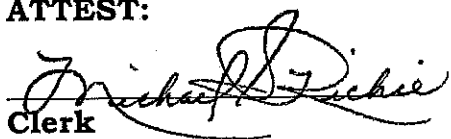


DAVID B. LEWIS, Judge



ROBERT L. HUDSON, Judge

ATTEST:



Clerk