

6 PC-2017-211
LeFlore County
Case No. CF-2004-561
Honorable Michael DeBerry
District Judge

PAUL ALAN RIGGS v. STATE OF OKLAHOMA

ORDER GRANTING POST-CONVICTION APPEAL OUT OF TIME

Petitioner requests, and the District Court recommends, that a post-conviction appeal out of time be granted. A copy of Petitioner's Application for Post-Conviction Relief filed in the District Court seeking a Post-Conviction Appeal Out Of Time is included in Petitioner's Post-Conviction Appeal Record filed with this Court. Petitioner's request is **GRANTED**. Petitioner is directed to lodge the appeal in accordance with Rules 2.1(E)(3) and 5.2(C), *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch. 18, App. (2017). **Time periods commence on the date of this Order. The Petition in Error, supporting brief, and a certified copy of the District Court Order must be filed with this Court within thirty (30) days from the date of this Order as required by Rule 5.2(C). The Petition in Error shall reference this Order granting Petitioner a post-conviction appeal out of time.** Pursuant to Rule 3.15, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2017), the **MANDATE** is **ORDERED** issued upon the delivery and filing of this decision.

CONCUR: Lumpkin, P.J.; Lewis, V.P.J.; Johnson, J.; Smith, J.; Hudson, J.

7 MA-2017-208
Mayes County
Case No. CF-2010-51
Honorable Terry McBride
District Judge

GARY J. SMITH v. STATE OF OKLAHOMA

ORDER DECLINING JURISDICTION

Rule 10.3, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2017) requires an applicant seeking extraordinary relief to serve notice on the adverse party when requesting relief from this Court. Petitioner has failed to give adequate notice to the proper party. The Court **DECLINES** jurisdiction and **DISMISSES** this matter.

CONCUR: Lumpkin, P.J.; Lewis, V.P.J.; Johnson, J.; Smith, J.; Hudson, J.