

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

GREGORY THOMPSON,

Petitioner,

V.

RICKY BELL, WARDEN, Riverbend Maximum Security Institution

Respondent.

No- 1: 04--cv-1 77

Edgar/Shirley

ORDER

Petitioner Gregory Thompson ("Thompson" or "Petitioner") was convicted of first degree murder and sentenced to death by the Criminal Court of Coffee County, Tennessee. Petitioner is currently confined at the Riverbend Maximum Security Institution in Nashville, Tennessee. Thompson has filed a petition for writ of habeas corpus and requests an evidentiary hearing on his competency to be executed [Court File No.1]. Petitioner has also filed a motion for stay of execution [Court File No.2], based on a claim that he is incompetent to be executed *See Ford v. Wainwright*, 477 U.S. 399 (1986). Petitioner has paid the \$5.00 filing fee.

Pursuant to 28 U.S.C. § 2251, the Court **GRANTS** a brief stay of Thompson's execution that **SHALL** expire automatically upon the issuance of an order by this court denying Thompson's petition but that shall remain in place upon the issuance of an order granting Thompson's writ of habeas corpus [Court File No.2].

The Clerk is **DIRECTED** to fax an executed copy of this Order to Warden Ricky Bell, Riverbend Maximum Security, Nashville, Tennessee; to the Attorney General of Tennessee; and Ms. Danna C. Hansen Chavis of the Federal Community Defender Service in Knoxville.

The Clerk is **DIRECTED** to serve a copy of the entire file in this action by certified mail on the respondent and

Attorney General of Tennessee.

It is further **ORDERED** that Respondent **SHALL** submit his response within ten (10) days from the date of this order.

The case is referred to the Magistrate Judge for the disposition of all non-dispositive motion.,

ENTER:

/s/
CURTIS L. COLLIER
UNITED STATES DISTRICT JUDGE