



grant Petitioner leave to amend his Original Habeas Petition, in light of the fact that Petitioner has exhausted the federal appellate review process, including receiving a review on the merits of his petition by the Sixth Circuit in Coe v. Bell, 161 F.3d 320 (6<sup>th</sup> Cir. 1998), and having sought and been denied *certiorari* twice by the Supreme Court? The Parties should answer this question with respect to:

- A) the issue of electrocution
  - B) Petitioner's Ford claim
- 2) Is reconsideration of the electrocution claim barred by the prohibitions against "second or successive" petitions set forth in 28 U.S.C. § 2244(b)(1)?
  - 3) Is Petitioner's Ford claim barred by the prohibitions against "second or successive" petitions set forth in 28 U.S.C. § 2244(b)(2)?
  - 4) Is Petitioner's Ford claim properly brought pursuant to 28 U.S.C. § 2241 or § 2254?

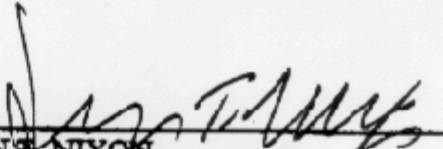
The Parties shall file their briefs on these issues no later than *Thursday, December 23, 1999.*

Should either Party feel it necessary to file a response, responsive briefs shall be filed by

*Monday, January 3, 2000.*

It is so ORDERED.

Entered this the 8<sup>th</sup> day of December, 1999.

  
JOHN F. NIXON  
UNITED STATES DISTRICT COURT