

**RECEIVED**

SEP 25 2006

Leonard Green  
ClerkTo: The United States Court of Appeals  
For The Sixth Circuit,

21 Sep 06

Circuit Judges: Merritt, Gibbons, and Griffin

Re: No. 06-6178

**FILED**

SEP 25 2006

Sirs and Ma'am,

**LEONARD GREEN, Clerk**

On 20 Sep 06, I received this Court's 18 Sep 06 order that:

- 1) granted a motion for a stay of the scheduled 19 Sep 06 execution in this case;
- 2) directed a briefing schedule; and
- 3) requested that I personally advise the Court as to whether it is my intent to pursue the instant appeal, and if so, whether pro se or through counsel.

I recognize the opportunity as rare and do not intend to abuse it.

I cannot, at this time, in good faith, pursue the instant appeal filed by Federal Defender Services of Eastern Tennessee Inc. that challenges my own competency to forego federal habeas review of their claims. Additionally, in the context and present posture of my own filing in the U.S. Supreme Court, I cannot complain about the procedure employed by the United States District Court for the Eastern District of Tennessee, in assessing whether 'reasonable cause' had been established so as to require a full evidentiary hearing on my competency.

Thank you for your time and patience.

Daryl R. Holton

Daryl Holton 306263

RMSI, Unit 2, Pod C20

7475 Cockrill Bend Blvd.

Nashville, TN 37209-10