

05A1043

Supreme Court, U.S.

FILED

MAY 16 2006

EXECUTION DATE: May 17, 2006, 1:00 a.m.

No. 05-_____

CLERK

In The Supreme Court Of The United States

SEDLEY ALLEY,
Petitioner,

v.

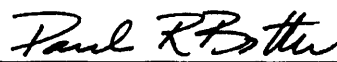
RICKY BELL, Warden,
Respondent.

On Petition For Writ Of Certiorari
To The United States Court Of Appeals
For The Sixth Circuit

APPLICATION FOR STAY OF EXECUTION

Petitioner Sedley Alley respectfully moves this Court for a stay of execution pending the disposition of the accompanying petition for writ of certiorari challenging the Sixth Circuit's denial of relief in these proceedings seeking relief from judgment under Article III and Fed.R.Civ.P. 60(b). As more fully explained in the petition, certiorari should be granted because the Sixth Circuit decision cannot be squared with Gonzalez v. Crosby, 545 U.S. ____, __ n. 5 (2005) and Banks v. Dretke, 540 U.S. 668 (2004). This Court should grant a stay of execution.

Respectfully Submitted,



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Middle District of Tennessee
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CERTIFICATE OF SERVICE

I certify that I have forwarded a copy of the foregoing petition for writ of certiorari to Joseph Whalen, Office of the Attorney General and Reporter, 425 Fifth Avenue North, Nashville, Tennessee 37243, this the 16 day of May, 2006.

