

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

BILLY RAY IRICK

Plaintiff

v.

GAYLE RAY, in her official capacity as Tennessee's Commissioner of Correction; RICKY BELL, in his official capacity as Warden of Riverbend Maximum Security Institution; REUBEN HODGE, in his official capacity as Deputy Commissioner of Tennessee Department of Correction; MARK LUTTRELL, in his official capacity as Assistant Commissioner of Operations; JOHN DOE PHYSICIANS 1-100; JOHN DOE PHARMACISTS 1-100; JOHN DOE MEDICAL PERSONNEL 1-100; JOHN DOE EXECUTIONERS 1-100; and JOHN DOES 1-100

Defendants

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* NO. 03:10-1004
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* DEATH PENALTY CASE
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* EXECUTION SCHEDULED:
* December 7, 2010
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NOTICE OF APPEAL

Notice is hereby given that the petitioner, Billy Irick, by and through court-appointed counsel, in the above-named case, hereby appeals to the United States Court of Appeals for the Sixth Circuit from the District Court's Order entered in this action on November 19, 2010 [R. 16] dismissing petitioner's cause of action.

SPEARS, MOORE, REBMAN & WILLIAMS

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CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2010, a copy of the foregoing **notice of appeal** was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

s/C. Eugene Shiles
C. Eugene Shiles

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