

JUN 16 2004

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

AT GREENBELT
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

BY

DEPUTY

04-1830

No. 04-17

STEVEN H. OKEN,

Plaintiff - Appellee,

versus

FRANK C. SIZER, JR., Commissioner, Maryland
Division of Correction; WILLIAM WILLIAMS,
Warden, Maryland Correctional Adjustment
Center; GARY HORNBAKER, Warden, Metropolitan
Transition Center,

Defendants - Appellants,

UNKNOWN EXECUTIONERS,

Defendants.

O R D E R

The Commissioner of the Maryland Division of Correction and other state officials have moved to vacate the district court's order staying the execution of Steven H. Oken. A panel majority, Judge Michael and Judge Traxler, vote to deny the motion. Judge Wilkinson would vacate the stay of execution.

(12)
msb

The motion to vacate the stay of execution is therefore denied.

For the Court

/s/ Patricia S. Connor

CLERK