

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF OKLAHOMA**

GLENN D. ANDERSON; and)
CHARLES F. TAYLOR,)
)
Plaintiffs,)
)
v.)
)
JUSTIN JONES, et al.,)
)
Defendants.)

Case No. CIV-05-825-F

JOINT MOTION FOR ABEYANCE

Come now counsel for Plaintiffs and Defendants who respectfully request the Court place the above entitled action in abeyance for a period of one year. In support of this request, the parties state the following.

1. On February 22, 2007, the parties engaged in an early judicial settlement conference.
2. At the settlement conference an agreement was reached, the precise terms of which are confidential to the parties.
3. In light of the agreement, the parties believe it is in the best interests of all parties that the case be placed in abeyance for a period of one year.
4. The parties have agreed, subject to the Court’s approval, that either party may reactivate the case within a year for any reason and that, at the expiration of the one-year period, if neither party has reactivated the case, the case should be dismissed by the Court.

5. Because of recent developments in Plaintiff Anderson's habeas case,¹ neither he nor Mr. Taylor will face execution during the abeyance period, or for some time thereafter. Therefore placing the case in abeyance will not put Plaintiffs' at risk of requiring a stay of execution should the case be reactivated at the end of the one-year abeyance period.
6. Therefore, the parties respectfully request the Court place this case in abeyance for a period of one year, suspending all existing deadlines in the case.

Respectfully submitted this 6th day of March, 2007,

s/ Richard N. Mann

Richard N. Mann
Assistant Attorney General
Office of the Oklahoma Attorney General
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105
(405) 521-4274 (telephone)
(405) 521-4518 (facsimile)
richard_mann@oag.state.ok.us

ATTORNEY FOR DEFENDANTS

s/ Lisa S. McCalmont

Lisa S. McCalmont, OBA No. 17096
Assistant Federal Public Defender
215 Dean A. McGee, Suite 109
Oklahoma City, OK 73102
(405) 609-5930 (telephone)
(405) 609-5932 (facsimile)
lisa_mccalmont@fd.org

ATTORNEY FOR PLAINTIFFS

¹See *Anderson v. Sirmons*, __ F.3d __, Case No. 04-6397, 2007 WL 521173 (10th Cir. Feb. 21, 2007) (reversing and remanding with instructions to grant the writ).

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of March, 2007, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Richard N. Mann
Assistant Attorney General
Office of the Oklahoma Attorney General
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105
(405) 521-4274 (telephone)
(405) 521-4518 (facsimile)
richard_mann@oag.state.ok.us

ATTORNEY FOR DEFENDANTS

s/ Lisa S. McCalmont
Lisa S. McCalmont