

SUPREME COURT OF ARIZONA

STATE OF ARIZONA,) Arizona Supreme Court
) No. CR-88-0301-AP
 Appellee,)
) Mohave County
 v.) Superior Court
) No. CR-9358
 DANIEL WAYNE COOK,)
) **O R D E R**
 Appellant.)
 _____) **FILED 3/17/2009**

Upon considering the State of Arizona's Motion for Warrant of Execution, the Opposition and Reply,

IT IS ORDERED continuing the motion for warrant of execution for fourteen days. The Court will grant the motion for warrant of execution at the end of fourteen days unless, within that period, Daniel Cook files a Rule 32 notice of post-conviction relief in the superior court challenging the constitutionality of Arizona's lethal injection protocol similar to the claim raised in pending post-conviction relief proceedings in State v. Landrigan, Maricopa County Superior Court case number CR1990-000066. If Mr. Cook files such a Rule 32 notice, he shall provide proof of same to this Court and the State's counsel no later than April 1, 2009.

IT IS FURTHER ORDERED denying the request for appointment of Michael Meehan as counsel for state court proceedings, without prejudice to Mr. Cook requesting that the superior court appoint Mr. Meehan as counsel for post-conviction relief proceedings.

DATED this _____ day of March, 2009.

For the Court:

RUTH V. MCGREGOR
Chief Justice

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TO:

Kent E Cattani, Chief Counsel, Criminal Appeals/Capital Litigation,
Arizona Attorney General's Office

Michael J Meehan, Munger Chadwick

Jon M Sands, Federal Public Defender's Office, Phoenix Office

Dale A Baich, Federal Public Defender's Office, Phoenix Office

Daniel Wayne Cook, ADOC #69007, Arizona State Prison, Florence -
Eyman Complex- Browning Unit

Hon Randolph A Bartlett, Presiding Judge, Mohave County Superior
Court, Division II

Hon Steven F Conn, Criminal Presiding Judge, Mohave County Superior
Court

Matthew J. Smith, Mohave County Attorney

Virlynn Tinnell, Clerk, Mohave County Superior Court

Charles L Ryan, Director, Arizona Department of Corrections

Carson McWilliams, Warden, Arizona State Prison Complex

Susan Rogers, General Counsel, Arizona Department of Corrections

Duane Belcher, Sr, Arizona Board of Executive Clemency

Hon John M Roll, Chief Judge, United States District Court, Tucson

Hon Cindy Jorgenson, United States District Court, Tucson

Hon Mary Murguia, United States District Court, Phoenix

Owen L McGeehon, United States District Court, Phoenix

Richard H Weare, Clerk, United States District Court, Phoenix

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