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Counsel for Defendant Frank Jarvis Atwood

IN THE ARIZONA SUPREME COURT

STATE OF ARIZONA,)	No. CR-87-0135-AP
)	
Appellee,	)	Pima County Superior Court
	)	Nos. CR14065 and CR15397
v.)	
	)	Ninth Circuit No. 14-99002
FRANK JARVIS ATWOOD,)	
	)	U.S. District Court No. CV-98-116-
Appellant.	)	TUC-JCC
)	
	)	NOTICE OF APPELLANT'S
	)	INTENT TO RESPOND TO
	)	APPELLEE'S MOTION TO SET
	)	BRIEFING SCHEDULE
	)	(Capital Case)

Appellant Frank Atwood, through undersigned counsel, hereby gives notice of

his intention to timely file his response to the motion of Appellee, the State of Arizona, filed on January 5, 2022, titled *Motion to Set Briefing Schedule for Motion for Warrant of Execution*. Appellee's motion presents numerous contestable issues, which Mr. Atwood intends to address fully.

For motions filed in criminal cases in Arizona appellate courts, the responding party is afforded 10 days, not including weekends and legal holidays, to file a response. Ariz. R. Crim. P. 31.6(e); ARCAP 6(a)(2); *id.* 5(a); Ariz. R. Civ. Pro. 6(a)(2). *See also* A.R.S. §1-301(a)(3) (recognizing the third Monday in January as Martin Luther King, Jr./Civil Rights Day). Accordingly, Mr. Atwood's response is due on January 20, 2022. Mr. Atwood intends to file a response on or before that day.

RESPECTFULLY SUBMITTED this 7th day of January, 2022.

/s/Natman Schaye
Natman Schaye
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Attorneys for Petitioner Frank Atwood