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

CHARLES F. TAYLOR,	)
Plaintiff,	)
VS.	) Case No. CIV-05-0825-F
JUSTIN JONES, et al.,	)
Defendants.	)

## **ORDER**

On January 30, 2009, the Tenh Circuit Court of Appeals reversed the denial of Mr. Taylor's habeas action and remanded with instructions to grant the writ as to Mr. Taylor's conviction and death penalty, subject to the state's right to retry Mr. Taylor within a reasonable time. *See*, <u>Taylor v. Workman</u>, 554 F.3d 879 (10th Cir. 2009). No petition for certiorari was filed with the United States Supreme Court for review of that order. Accordingly, after careful review of the parties' papers, this court finds and concludes that Mr. Taylorno longer has standing in this action, which challenges Oklahoma's death penalty protocol, because this action is moot with respect to Mr. Taylor. Accordingly, after careful consideration of the parties' papers on this issue, this action is **DISMISSED** without prejudice because it is moot.

Dated this 8<sup>th</sup> day of June, 2009.

STEPHEN P. FRIOT

UNITED STATES DISTRICT JUDGE