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IN RE APPLICATION FOR PETITION FOR WRIT OF HABEAS CORPUS BY  
DAN ROSS AS NEXT FRIEND ON BEHALF OF MICHAEL B. ROSS—  
DISSENT

NORCOTT, LAVERY and DRANGINIS, Js., dissenting. We dissent from the order of the court dismissing the motions for a stay of execution, and we would grant, sua sponte, pursuant to the inherent supervisory powers over the administration of justice vested in this court; see *State v. Higgins*, 265 Conn. 35, 61 n.26, 826 A.2d 1126 (2003); a stay of execution. We disagree that an individual defendant may waive the benefit of any potential relief resulting from the disposition of the consolidated habeas corpus proceeding on behalf of all defendants sentenced to death in this jurisdiction ordered by this court in *State v. Reynolds*, 264 Conn. 1, 233, 836 A.2d 224 (2003), cert. denied, U.S. , 124 S. Ct. 1614, 158 L. Ed. 2d 254 (2004), addressing claims that Connecticut's death penalty system is administered in a racially discriminatory and arbitrary manner. We believe that a stay pending resolution of this review is mandated by our statutory responsibilities under General Statutes § 53a-46b (b) (1), and our institutional responsibilities to the criminal justice system. A full dissenting opinion will be published simultaneously with the full majority opinion.

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