

NOT RECOMMENDED FOR PUBLICATION

File Name: 10a0069n.06

No. 10-3098**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

FILED
Feb 03, 2010
 LEONARD GREEN, Clerk

LAWRENCE REYNOLDS,

Plaintiff,

MARK BROWN,

Intervenor - Appellant,

v.

 TED STRICKLAND, TERRY J. COLLINS,
 PHILLIP KERNS, and EXECUTION TEAM
 MEMBERS #1-21,

Defendants-Appellees.

 ON APPEAL FROM THE UNITED
 STATES DISTRICT COURT FOR
 THE SOUTHERN DISTRICT OF
 OHIO

ORDER

Before: BATCHELDER, Chief Circuit Judge; SILER and SUTTON, Circuit Judges.

PER CURIAM. The motion by the appellant, Mark Brown, for a stay of execution is denied, and the panel affirms the district court for the reasons set forth in the district court opinion, *Reynolds (Brown) v. Strickland*, No. 2:10-cv-27 (S.D. Ohio Feb. 2, 2010), and in our recent opinion in *Cooey (Biros) v. Strickland*, 589 F.3d 210 (6th Cir. 2009).

AFFIRMED.