UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

Deborah S. Hunt Clerk

100 EAST FIFTH STREET, ROOM 540 POTTER STEWART U.S. COURTHOUSE CINCINNATI, OHIO 45202-3988

Tel. (513) 564-7000 www.ca6.uscourts.gov

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Ms. Susanne Bales Federal Defender Services 800 S. Gay Street Suite 2400 Knoxville, TN 37929

Mr. Andrew H. Smith Office of the Tennessee Attorney General P.O. Box 20207 Nashville, TN 37202

> Re: Case No. 12-6310, Gary Sutton v. Wayne Carpenter Originating Case No.: 3:07-cv-00030

Dear Counsel,

The court today announced its decision in the above-styled case.

Enclosed is a copy of the court's opinion together with the judgment which has been entered in conformity with Rule 36, Federal Rules of Appellate Procedure.

Yours very truly,

Deborah S. Hunt, Clerk

Cathryn Lovely Deputy Clerk

cc: Ms. Debra Poplin

Enclosures

Mandate to issue.