

**FILED****FOR PUBLICATION**

JUL 18 2014

## UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

## FOR THE NINTH CIRCUIT

JOSEPH RUDOLPH WOOD, III,

Petitioner - Appellant,

v.

CHARLES L. RYAN, interim Director,  
Arizona Department of Corrections,

Respondent - Appellee.

No. 08-99003

D.C. No. 4:98-CV-00053-JMR  
District of Arizona,  
Tucson

ORDER

Before: WARDLAW, Circuit Judge.

Petitioner has filed a Petition for Writ of Habeas Corpus and Motion for Stay of Execution. Because the three-judge panel consisting of Judges Thomas, Gould, and Bybee has jurisdiction over Appeal No. 08-99003 and petitioner's execution is not "imminent," the Petition for Writ of Habeas Corpus and Motion for Stay of Execution is referred to the Clerk for determination by the three-judge panel. *See* Cir. R. 22-2(c) ("Once a case is assigned to a death penalty panel, the panel will handle all matters pertaining to the case . . ."); Cir. R. 22-4(e) ("In all capital cases where petitioner seeks a stay of execution, the Clerk shall refer any motion for a

stay of execution to the death penalty panel.”).

**IT IS SO ORDERED.**