

FILED**FOR PUBLICATION**

OCT 07 2013

UNITED STATES COURT OF APPEALS

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

FOR THE NINTH CIRCUIT

EDWARD HAROLD SCHAD,

Petitioner - Appellant,

v.

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

Respondent - Appellee.

No. 13-16895

D.C. No. 2:97-cv-02577-ROS
District of Arizona,
Phoenix

ORDER

Before: SCHROEDER, REINHARDT, and GRABER, Circuit Judges.

Judge Schroeder and Judge Graber have voted to deny the petition for panel rehearing and to deny the motion for a stay of execution. Judge Reinhardt voted to grant the petition for panel rehearing and to grant the motion for a stay of execution. Accordingly, the petition for panel rehearing and the motion for a stay of execution are denied.