

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**WO**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

Michael Ray White,  
Petitioner,  
v.  
Charles L. Ryan, et al.,  
Respondents.

No. CV-08-08139-PCT-SPL  
**ORDER**  
DEATH PENALTY CASE

On July 10, 2015, Petitioner Michael Ray White’s Amended Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 (Doc. 273) was denied (Doc. 286). Petitioner appealed, and the Ninth Circuit Court of Appeals reversed and remanded, instructing this Court “to grant a conditional writ with respect to White’s sentence unless the State, within a reasonable period, either holds a new sentencing hearing or vacates White’s sentence and imposes a lesser sentence in accordance with state and federal law.” *White v. Ryan*, 895 F.3d 641, 673 (9th Cir. 2018). The mandate issued on August 27, 2018 (Doc. 295). Accordingly,

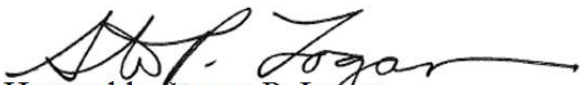
**IT IS ORDERED** that Petitioner’s Amended Writ of Habeas Corpus is granted unless the State of Arizona, within 120 days from the entry of this Judgment, either holds a new sentencing hearing or vacates Petitioner’s sentence and imposes a lesser sentence in accordance with state and federal law.

**IT IS FURTHER ORDERED** that the Clerk of Court shall enter judgment accordingly.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IT IS FURTHER ORDERED** that the Clerk of Court forward a courtesy copy of this Order to Janet Johnson, Clerk of the Arizona Supreme Court, 1501 W. Washington Street, Phoenix, Arizona 85007-3329.

Dated this 29th day of August, 2018.

  
Honorable Steven P. Logan  
United States District Judge