

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

AHMAD FAWZI ISSA,	:	
	:	
Petitioner,	:	Case No. 1:03-cv-280
	:	
-vs-	:	District Judge Sandra S. Beckwith
	:	Magistrate Judge Michael R. Merz
	:	
MARGARET BRADSHAW, Warden,	:	
	:	
Respondent.	:	

**ORDER VACATING STAY AND TO SHOW CAUSE**

This capital habeas corpus case is before the Court *sua sponte*.

On February 11, 2014, the Court entered an Order to Show Cause noting that Petitioner had been permitted in January 2013 to amend his Petition to add lethal injection protocol claims, to wit, Grounds for Relief Twenty-Eight and Twenty-Nine (Doc. No. 197). The Order concluded:

Because the Court's prior rulings have been protocol-specific, it now appears that Grounds Twenty-Eight and Twenty-Nine are moot because they refer to the September 2011 superseded version of DRC Policy 01-COM-11.

Accordingly, it is hereby ORDERED that Petitioner show cause not later than February 24, 2014, why Grounds Twenty-Eight and Twenty-Nine should not be dismissed without prejudice as moot.

*Id.* at PageID<sup>1</sup> 4100. Thereafter on March 17, 2014, on Petitioner's unopposed motion, the

<sup>1</sup> When any document is filed with this Court, the Court's electronic filing system affixes a unique Page Identification Number in the upper right hand corner of every page. The attention of the parties is directed to this

Court stayed Petitioner's obligation to show cause and to move to amend until June 11, 2014, projected to be fourteen days after the scheduled execution of Arthur Tyler (Doc. No. 199 and notation order granting).

It is now nearly a year later. This case remains pending before Judge Beckwith on the Magistrate Judge's Report and Recommendations on the merits (Doc. No. 146, filed November 5, 2008) and later Report and Recommendations on the Motion for Certificate of Appealability (Doc. No. 166, filed February 17, 2012). It is important to do what can be done to resolve the other issues in this case even if the lethal injection claims made or to be made are not yet ripe.

Accordingly, it is hereby ORDERED:

1. The stay of consideration of lethal injection claims herein is VACATED;
2. Petitioner shall show cause not later than March 15, 2015, why Grounds Twenty-Eight and Twenty-Nine should not be dismissed without prejudice as moot.

February 25, 2015.

s/ *Michael R. Merz*  
United States Magistrate Judge

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Magistrate Judge's Standing Order of May 8, 2014, which provides in pertinent part "All references to the record in this Court must be to the filed document by title, docket number, and PageID reference. (E.g., Defendant's Motion to Dismiss, Doc. No. 27, PageID \_\_\_\_.) The large majority of cases before this Magistrate Judge are habeas corpus cases with large state court records and correct citation to the record is critical to judicial economy. Therefore, nonconforming filings will be stricken.