

IN THE UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

DONNIE E. JOHNSON	)	
	)	
Petitioner-Appellant,	)	CAPITAL CASE
	)	
v.	)	No. 06-6415
	)	06-6452
DERRICK SCHOFIELD, <sup>1</sup> et al.	)	07-6408
	)	
Respondents-Appellees	)	

JOINT MOTION TO DISMISS APPEALS

COMES NOW Appellant and Appellee, by counsel, and hereby jointly move to dismiss the above-captioned appeals as moot. In support of the motion, counsel state as follows:

1. On November 15, 2013, this Court ordered the parties to file supplemental briefs on the impact of the State of Tennessee’s new lethal injection protocol on the above-captioned appeals.
2. Upon review, the parties jointly agree that the new protocol renders the appeals moot.

WHEREFORE, the parties respectfully request that these appeals be dismissed.

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<sup>1</sup>Derrick Schofield is now the Commissioner of the Tennessee Department of Corrections.

Respectfully submitted,

/s/ Kelley J. Henry

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