

NOT RECOMMENDED FOR PUBLICATION

File Name: 10a0069n.06

No. 10-3098

**UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT**

FILED
Feb 03, 2010
LEONARD GREEN, Clerk

LAWRENCE REYNOLDS,)
)
Plaintiff,)
)
MARK BROWN,)
)
Intervenor - Appellant,)
)
v.)
)
)
TED STRICKLAND, TERRY J. COLLINS,)
PHILLIP KERNS, and EXECUTION TEAM)
MEMBERS #1-21,)
)
Defendants-Appellees.)

ON APPEAL FROM THE UNITED
STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF
OHIO

ORDER

Before: BATCHELDER, Chief Circuit Judge; SILER and SUTTON, Circuit Judges.

PER CURIAM. The motion by the appellant, Mark Brown, for a stay of execution is denied, and the panel affirms the district court for the reasons set forth in the district court opinion, *Reynolds (Brown) v. Strickland*, No. 2:10-cv-27 (S.D. Ohio Feb. 2, 2010), and in our recent opinion in *Cooley (Biros) v. Strickland*, 589 F.3d 210 (6th Cir. 2009).

AFFIRMED.