



SUPREME COURT OF GEORGIA

Case No. S08W0207

Atlanta October 16, 2007

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

JACK EDWARD ALDERMAN v. THE STATE

It appears that Appellant in the above-styled case has filed a notice of direct appeal from the trial court's denial of a motion for stay of execution, and has also filed in this Court a motion for stay of execution. There being no pending challenge to Appellant's conviction or sentence, and thus no evidentiary record, and this Court having previously resolved the issue being raised, which issue is not currently being revisited in this Court, the motion to stay filed herein is, therefore, denied. The Supreme Court of the United States has not yet indicated that, in cases in this posture, all executions by lethal injection should be stayed. If that Court stays the execution in this and similar cases in order to consider the issue raised herein, this Court will of course comply with that determination and will closely follow every directive from that Court.

SUPREME COURT OF THE STATE OF GEORGIA

Clerk's Office, Atlanta

I certify that the above is a true extract from the minutes of the Supreme Court of Georgia.

Witness my signature and the seal of said court hereto affixed the day and year last above written.

, Chief Deputy Clerk



SUPREME COURT OF GEORGIA

Case No. S08W0263

Atlanta October 18, 2007

The Honorable Supreme Court met pursuant to adjournment.
The following order was passed:

JACK E. ALDERMAN v. HILTON HALL, WARDEN

It appearing that the above-styled application for a certificate of probable cause raises the issue of the constitutionality of lethal injection as the method by which a capital sentence may be carried out, that that issue is presently before the Supreme Court of the United States (see Baze v. Rees, __ SC __ (2007)), that that Court has stayed an execution pending final disposition of an appeal in which lethal injection is challenged (see Emmett v. Johnson, __ SC __, 2007 WL 3018923 (Stay granted October 17, 2007)), and that the issue “could not reasonably have been raised” during the time Applicant’s last state habeas petition was pending (OCGA § 9-14-51), the application for a stay of execution is hereby granted until further order of this Court. A decision as to the grant or denial of the application for certificate of probable cause is reserved for further consideration.

SUPREME COURT OF THE STATE OF GEORGIA
Clerk’s Office, Atlanta

I hereby certify that the above is a true extract from
the minutes of the Supreme Court of Georgia

Witness my signature and the seal of said court hereto
affixed the day and year last above written.

, Clerk