

**FILED**  
**United States Court of Appeals**  
**Tenth Circuit**

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

**September 27, 2017**

**Elisabeth A. Shumaker**  
**Clerk of Court**

PATRICK DWAYNE MURPHY,  
  
Petitioner - Appellant,

v.

Nos. 07-7068 & 15-7041

TERRY ROYAL Warden,  
Oklahoma State Penitentiary,

Respondent - Appellee.

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MUSCOGEE (CREEK) NATION, et al.,  
  
Amici Curiae.

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**ORDER**

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Before **TYMKOVICH**, Chief Judge, **MATHESON**, and **PHILLIPS**, Circuit Judges.

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These matters are before the court to address the United States’ motion for extension of time to file a brief in response to the State of Oklahoma’s *Petition for Rehearing*, to direct a response to the *Petition* from Mr. Murphy, and to invite the amici Tribes to file a response on rehearing.

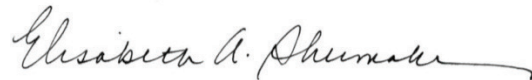
The United States’ motion for extension of time is **GRANTED**. If an amicus curiae brief is submitted, it must be filed on or before **October 10, 2017**. Consistent with

our order dated September 11, 2017, any brief filed shall be no longer than 5,200 words in length. The brief should include certification of the word count.

In addition, Mr. Murphy is directed to file a response to the *Petition for Rehearing* on or before **October 24, 2017**. The petitioner's response may be up to 5,500 words in length, and shall include a certification regarding the word count.

Finally, the amici Tribes may, but are not required, to file a response to the *Petition*. Any Tribal responses must be filed on or before **October 24, 2017**, and may be up to 5,200 words in length. These responses should also include certification of the word count.

Entered for the Court

A handwritten signature in cursive script that reads "Elisabeth A. Shumaker". The signature is written in black ink and has a long, sweeping underline that extends to the right.

ELISABETH A. SHUMAKER, Clerk

**UNITED STATES COURT OF APPEALS  
FOR THE TENTH CIRCUIT  
OFFICE OF THE CLERK**

Byron White United States Courthouse  
1823 Stout Street  
Denver, Colorado 80257  
(303) 844-3157

Elisabeth A. Shumaker  
Clerk of Court

September 27, 2017

Chris Wolpert  
Chief Deputy Clerk

Randy A. Bauman  
Patti Palmer Ghezzi  
Mr. Michael W. Lieberman  
Office of the Federal Public Defender  
Capital Habeas Unit  
215 Dean A. McGee Avenue, Suite 707  
Oklahoma City, OK 73102

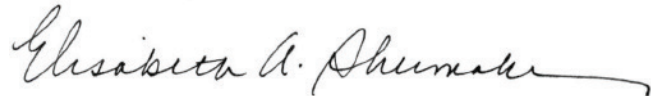
**RE: 07-7068, 15-7041, Murphy v. Royal**  
Dist/Ag docket: 03-cv-443-RAW-KEW

Dear Counsel:

Enclosed please find an order issued today by the court.

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker  
Clerk of the Court

cc: Klint Austin Cowan  
Jennifer L. Crabb  
Kevin W. Dellinger  
Lindsay Dowell  
David Angelo Giampetroni  
Jared Haines  
Riyaz A. Kanji  
Mithun Mansinghani  
Philip H. Tinker  
Randall John Yates

EAS/pdw