

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 88-2613

CARLOS DELUNA

Petitioner-Appellant

versus

JAMES A. LYNAUGH, Director
Texas Department of Corrections,

Respondent-Appellee.

U.S. COURT OF APPEALS
FILED
JUN 29 1989
GILBERT E. GANUCHEAU
CLERK
*Received
6-29-89
GAW*

Appeals from the United States District Court for the
Southern District of Texas

Before POLITZ, WILLIAMS and JONES, Circuit Judges.

BY THE COURT*

IT IS ORDERED that the motion of appellant to recall the mandate and stay the setting of an execution date pending the filing and disposition of a petition for writ of certiorari is DENIED.

*Decided by a quorum, 23 U.S.C. 546(d).

FILED

OCT 27 1989

OSCAR SOLIZ, CLERK
DISTRICT COURT, NUECES COUNTY, TEXAS
By *M.H. ...*

FILED