

THIS IS A CAPITAL CASE

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

DAMIEN WAYNE ECHOLS,) Case No. 5:04CV00391-WRW
)
Petitioner,)
)
vs.)
)
LARRY NORRIS, Director,)
Arkansas Department of Corrections,)
)
Respondent.)

**PETITIONER'S MARCH, 2008 REPORT RE:
STATUS OF STATE COURT PROCEEDINGS**

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Pursuant to this Court's Letter Order issued on November 21, 2007, petitioner Damien Echols hereby reports the following concerning the status of state court proceedings relating to this matter:

On January 29, 2008, Craighead County Circuit Judge David Burnett issued a letter stating his intent to commence a hearing on pending state motions filed by petitioner Echols and by Jason Baldwin and Jesse Misskelley, the other state defendants tried and convicted in connection with the incident placed in issue by petitioner's second amended petition for a writ of habeas corpus previously filed in this Court. The January 29th letter contemplates the commencement of such a hearing on April 14, 2008. The pending motions identified by the letter include, among others, the state motions for DNA testing and for relief from state court convictions filed by Mssrs. Echols, Baldwin, and Misskelley pursuant to Arkansas Code Section 16-112-201, et seq. (identified in the letter as "Act 1780"). A copy of the January 29, 2008 letter is attached hereto as Exhibit A.

On February 21, 2008, and in response to Judge Burnett's January 29th letter, counsel for the state of Arkansas and Mssrs. Echols, Baldwin, and Misskelley filed a "Joint Status and Case Management Memorandum Submitted by All Parties." That memorandum essentially describes a variety of preliminary issues that all parties believe must be resolved prior to the commencement of an evidentiary hearing on the pending state motions and seeks a rescheduling of the date on which such a hearing should commence. A copy of the February 21, 2008 memorandum is attached hereto as Exhibit B.

PROOF OF SERVICE BY MAIL

Re: Damien Wayne Echols v. Larry Norris, Director No. 04CV00391 HLJ

I am a citizen of the United States; my business address is 523 Octavia Street, San Francisco, California 94102. I am employed in the City and County of San Francisco, where this mailing occurs; I am over the age of eighteen years and not a party to the within cause. I served the within:

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on the following person(s) on the date set forth below, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States Post Office mail box at San Francisco, California, addressed as follows:

Brent P. Gasper
Arkansas Attorney General's Office
323 Center Street, Suite 200
Little Rock, AR 72201-2610

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Prosecuting Attorney
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[x] BY MAIL: By depositing said envelope, with postage (certified mail, return receipt requested) thereon fully prepaid, in the United States mail in San Francisco, California, addressed to said party(ies);

I certify or declare under penalty of perjury that the foregoing is true and correct. Executed on March 4, 2008 at San Francisco, California.

/s/
Jocilene Yue