

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

MAR 04 2005

THIS IS A CAPITAL CASE

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

JAMES W. McCORMACK, CLERK
By: _____ DEP CLERK

**DAMIEN WAYNE ECHOLS
ADC #SK931**

PETITIONER

v. **Case No. 5:04-CV-391-WRW**

**LARRY NORRIS, Director,
Arkansas Department of Correction**

RESPONDENT

NOTICE OF FILING OF EXHIBITS

COMES NOW Respondent, Larry Norris, by and through counsel, Mike Beebe, Attorney General, Brent P. Gasper, and Joe Svoboda, Assistant Attorneys General, and gives notice of filing of the following:

1. Exhibit A - Judgment and commitment order
2. Exhibit B - Abstract of pleadings and testimony, *Echols v. State*, 326 Ark. 917, 936 S.W.2d 509 (1996)
3. Exhibit C - Direct appeal brief, *Echols v. State*, 326 Ark. 917, 936 S.W.2d 509 (1996)
4. Exhibit D - State's supplemental abstract and response brief, *Echols v. State*, 326 Ark. 917, 936 S.W.2d 509 (1996)
5. Exhibit E - Reply brief, *Echols v. State*, 326 Ark. 917, 936 S.W.2d 509 (1996)
6. Exhibit F - Opinion, *Echols v. State*, 326 Ark. 917, 936 S.W.2d 509 (1996)
7. Exhibit G - Denial of certiorari, *Echols v. Arkansas*, 520 U.S. 1244 (1997)
8. Exhibit H - Rule 37 petition, dated March 11, 1997
9. Exhibit I - Rule 37 petition, dated November 7, 1997
10. Exhibit J - Amended Rule 37 petition, dated December 12, 1997

11. Exhibit K - Motion to clarify or amend the Rule 37, dated June 9, 1998
12. Exhibit L - Motion for leave to further amend his Rule 37 petition, dated June 29, 1998
13. Exhibit M - Second Rule 37 petition, dated June 29, 1998
14. Exhibit N - Order denying Rule 37 petitions, dated June 17, 1999
15. Exhibit O - Rule 37 appeal brief, volumes 1 and 2, *Echols v. State*, 344 Ark. 513, 42 S.W.3d 467 (2001)
16. Exhibit P - Supplemental abstract to Rule 37 appeal brief, *Echols v. State*, 344 Ark. 513, 42 S.W.3d 467 (2001)
17. Exhibit Q - Opinion, *Echols v. State*, 344 Ark. 513, 42 S.W.3d 467 (2001)
18. Exhibit R - Amended order, dated July 30, 2001
19. Exhibit S - Second Rule 37 appeal brief, *Echols v. State*, 354 Ark. 530, 127 S.W.3d 486 (2003)
20. Exhibit T - Second Rule 37 reply brief, *Echols v. State*, 354 Ark. 530, 127 S.W.3d 486 (2003)
21. Exhibit U - Opinion, *Echols v. State*, 354 Ark. 530, 127 S.W.3d 486 (2003)
22. Exhibit V - Petition asking that jurisdiction be reinvested in the circuit court to allow Echols to seek a writ of error *coram nobis*, *Echols v. State*, 354 Ark. 414, 125 S.W.3d 153 (2003)
23. Exhibit W - Opinion, *Echols v. State*, 354 Ark. 414, 125 S.W.3d 153 (2003)
24. Exhibit X - Motion to recall the mandate and to reinvest jurisdiction in the trial court to consider petition for writ of error *coram nobis* or for other extraordinary relief, *Echols v. State*, CR-94-928, CR-99-1060, (Ark. Sup. Ct. Jan. 20, 2005)
25. Exhibit Y - Opinion, *Echols v. State*, CR-94-928, CR-99-1060 (Ark. Sup. Ct. Jan. 20, 2005)
26. Exhibit Z - Opinion denying motion for reconsideration, *Echols v. State*, CR-94-928, CR-99-1060 (Ark. Sup. Ct. Jan. 20, 2005)

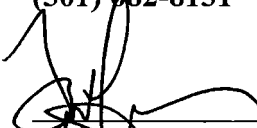
27. Exhibit AA - Appellate court docket sheet, *Echols v. State*, CR-94-928
28. Exhibit BB - Appellate court docket sheet, *Echols v. State*, CR-99-1060
29. Exhibit CC - State habeas corpus petition, dated July 25, 2002
30. Exhibit DD - Appendix to state habeas corpus petition, dated September 5, 2002
31. Exhibit EE - Circuit court order preserving the evidence listed in the habeas corpus petition, dated January 28, 2003
32. Exhibit FF - Supplement to original motion for DNA testing, dated May 21, 2003
33. Exhibit GG - Circuit court order for the DNA testing of certain pieces of evidence, dated June 2, 2004
34. Exhibit HH - Joint status memorandum, dated June 2, 2004
35. Exhibit II - Crittenden County and Craighead County trial docket sheets

Respectfully submitted:

MIKE BEEBE
ATTORNEY GENERAL

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By:



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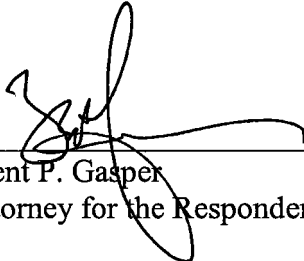
CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been mailed via U.S. Mail, postage prepaid, to

Dennis P. Riordan
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Deborah R. Sallings
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on this 4th day of March, 2005.



Brent P. Gasper
Attorney for the Respondent